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ROOTS OF ISLAMIC CIVILIZATION
(Public Administration)

TRANSLATED BY:
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(Public Administration Theory)

(C) Abdul Aziz Saleh Bin Habtoor

Dedication

I dedicate this work to the memory of my late father

Alhaj Saleh Ahmed Bin Habtoor

Who passed away in February 2000

May Allah rest his soul

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Introduction

I am so happy to write the introduction of a new issue of my recently published book in Arabic by the Yemen Center for Studies and Research in Sana'a. I write this introduction for the translation of the book into the English language. I remain greatly indebted to my good friend, Mr. Basheer Muhammad Khan, the dean of translators into the English language and a distinguished scientific personality in the Yemen. The idea of translating the book into the English language was an objective response to what is happening in today's world of oppressive change of a number of religious concepts, stands and values concerning Islam and its civilization. This is an attempt to communicate an intellectual idea for the readers in the English language on a small part of the experience of the Islamic Arab State in the sphere of administration, which in fact is the root of human civilization.

What is contained of administration theological concepts, terminology and lessons of our Arab and Islamic experience is a resounding voice that replies to any one who attempts to disfigure history. These formulate frameworks and criteria of a political connotation that is hostile to the Islamic and Arab State.

When I was a higher education student in Berlin, the Federal Republic of Germany, until 1992, I was taken up by merely lectures and theoretical studies. The experience of scientific, cultural and human life in this beautiful European country with a "contradictory political" history is faced by the deep-rooted cultural and human history that contributed to the enrichment of human civilization with its distinct and lively human experience.

There while a young student and because of my travels in the various German provinces with their cities and scientific centers I got involved with renowned professors and higher education students from Germany and several European, American, Latin American, African and Asian students. Whenever they raised numerous questions and indeed their distress and fear of our Islamic Arab civilization, they found it still constituting a puzzle for a large number of specialists of European and other universities. So what would be the condition for the common people and public opinion in these countries. One should remember that our civilization has been subjected to a flood of

unjust charges and willful disfiguration by our enemies whatever their political and religious spectrum may be.

In this research paper I have striven after the review of one of brilliant and prominent scientific aspects of our Islamic Arab State. It is entitled Roots of Islamic Civilization as administration was and still constitutes the dynamo that moves and directs the axis of any institution, state or civilization.

The intelligent reader will find that modern theories started with our forefathers before fourteen centuries beginning with the Holy Prophet Mohammed's age until the end of the Abbassid age. This continued from the first year of the Hijra era until 656 AH. The precepts brought by our venerable religion of Islam with the Holy Quran and the Traditions of the Holy Prophet Muhammad testify that modern theories studied by us at the universities and still taught there to this day are only a natural extension of that very fertile scientific administration heritage. This is an attempt to form the features of the required dialogue between civilizations. It is a dialogue of scientific theories, heritage and cultural continuity with all of its dimensions/

Today's world is open to other languages such as the language of intellect, logic and coexistence between nations of various and different colors, cultures and religions. Our lives then must be expansive to contain common concepts about the specifics of nations and their cultures.

I conclude this introduction with the hope that this continuous scientific research will constitute a minute point in the sphere of science that abounds in the world. It is material that can serve as a primary dialogue matter that is based on recognition of the culture of others. It requires mutual respect for other religions and their heritage. It is the sole means of coexistence of nations that have decided to live together on our planet – the Earth.

Prof. Dr. Abdul Aziz Saleh Bin Habtoor

Sana'a

April : 2002.

**Public Administration Theory in the
Arab Islamic State**

Topic One

**The Prophet's Age
And
The Orthodox Caliphs Age**

1. Public Administration Roots in the Prophet's Age

● *Methodological Introduction of the Research*

This research study considers the public administration theory in the Arab Islamic State during an important stage of the formation of the state and its founding the stage of the state of the prophet's age in the city of the Holy Prophet (peace and blessings of Allah be upon him). This covers the first year of the Hijra until the death of the Prophet in 11 A.H. It is well known that the fundamentals of public administration were formulated during this period and put into practical application in reality. Its development was completed during the successive years of the history of the Arab State during the orthodox caliphs' age (11- 41 A.H.).

The research relied upon several sources. The most important are the Holy Quran, the Prophet's Traditions books, especially the traditions of Ibn Hisham, and Ibn Katheer. In addition there are the on Islamic history and I specifically mention Al-Tabari and Al-Yaqoobi histories, in addition to the Sultanatic Orders book by Al-Mawardi, which in its chapters includes all institutions of the Arab Islamic state in the administration field.

- *Research plan*

For the purposes of study this research is divided into two stages: the age of the Prophet and the age of the orthodox caliphs, even though the age of the Prophet is parallel to and complements the orthodox caliphs age.

The fundamentals and general lines of public administration were placed during the age of the Prophet. Then the orthodox caliph's age came to complete the picture with all of its dimensions. By then, the Islamic Arab State had expanded and was transformed into an empire. It was imperative that some change should be effected to the state administration institutions to meet the needs of the new reality.

The Prophet organized the affairs of the city. It was the Prophet's leadership that stood behind all this organization and it is this leadership that has been studied in a concentrated and complete manner. This is evident when the research refers to the art of administration in his age.

The research also studies administration in the Islamic Arab State in the age. It spotlights the accomplishments of public administration during the orthodox caliphate's rule, in addition to the powers of the head of state.

The research concentrates on administrative conditions in the Arab countries. It is in these countries that the administrative measures were transformed into an administration theory capable of application. The research includes a complete coverage of the employees of the administrative organ of the Arab State starting from the Emir to the Quarter Official who manages the affairs of one quarter of the city.

Research methodology

The methodology is the path which the researcher follows to accomplish the research and is the thread that links all parts of the research until the aspired result is arrived at the end of the research. It is not possible to lay the course of this path from the beginning. It is a structure that is accomplished or translated through the study of the research material. Throughout this research I have taken care to have this methodology scientific that places all the facts before it to come out with the aspired result whose accomplishment is required.

Research problem

I must mention here that the public administration books authored by Arabs and non-Arabs, be they Europeans or Americans, abound in public administration examples and texts of the Greeks, Romans and others. I did not find one single solid and concentrated study about public administration in the Islamic civilization or the Arab Empire, which straddled three continents (Asia, Africa and Europe).

In this study the problems lay in the study of administrative applications and administration institutions in reality and then conclude the general theory from them. The public administration in Islamic civilization the practical applications preceded the administration theory and was a fruit of administrative work.

Research difficulty

Where lies the difficulty of this research? It lies in its sources, as these are diverse in their information that relates to public administration. This diversity is not found in one or two sources; indeed it is distributed among many sources. One alone has to undertake the task of collecting the threads from here and there and then weave them into a complemented and symmetrical shape of the fabric.

It should not be forgotten that public administration in Islamic civilization is spread over an extensive area of countries, cities, villages and the countryside over a historic period abounding in developments. It is more than half a century of various events and organizations.

The question here is did public administration exist in the Islamic Arab State? The question is important, but it requires us to go back a little to know the nature of public administration. If we fully know it we are able to provide an answer. (1)

I have previously clarified that administration means service on the basis that the one who works in administration is charged with serving people or though administration arrive at the performance of a service. This is the original verbal meaning of "To serve". As for its general meaning it means activity directed towards provision of fruitful cooperation.

Effective cooperation between the various efforts is exerted to realize a specific objective with a high degree of competence. As for the word "public" it denotes "the government" as a distinction between public administration and other types of administration, specifically business administration, administration of private organizations and bodies and the administration of international organizations.

The government composes the executive authority and is made up of the Prime Minister, his deputies, and the ministers and their deputies. All administrative functions are related to these ministries. Thus, the government is an executive function to which public administra-

1 See Duncan's comment on this subject in "Great Ideas on Administration", p.25 in Exploring the seeds of modern thought on administration, and compare it with Al-Naeem, Dr. Abdulla, a research in "Administration leaderships in the 21st century, p.123 (Cairo, 1995).

* Compare this with Glubb's opinion, The Great Arab Conquests", p 501 and after.

tion is linked. However, it is distinct as public administration is the totality of existing persons and organs under the command of the government to perform various tasks and implement the various laws and regulations for which the state executive organs are responsible, and satisfy the basic needs of the citizens by the government and perform public services for the people.

With such a concept public administration means implementation of the general policy of the state and places it in the domain of reality. By this it represents the totality of government activity and work directed towards performing public services and government production and the implementation of the various laws. Such a concept entails important results. In the forefront is the political nature, which is the most important distinction of public administration.

As public administration is an interpretation of general policy into executive work in reality, ² it is what we precisely found in the public administration of the Islamic Arab State. The concept of public administration in the modern age is in actual and practical that, which was applied by the state and the government in Islamic Arab life in the domain of reality to serve the society that prevailed at that time. ³

We agree with Duncan when he speaks about public administration and says, "of course there were managers and organizations. Some of them realized administration measures, leadership and operations. What was not found was a science or subject by the name of administration that was being taught".

The trends, objectives and functions of public administration were present in Islamic Arab life. What were not present were the special institutes that taught this subject and the modern terminology applicable to it. Arab administration was experienced and well-versed leadership management that balanced the two sides of the formula in a changing world. Had we desired we would have presented numerous texts to establish that. We will be satisfied with producing those that establish Arab management's experience, strength of its institutions and the ability to establish their success by the results that were entailed by its policies.

Duncan, as if he was monitoring and evaluation what we say,

² Great Ideas of Administration, p. 26.

³ Dr. Ismael Raji Al-Farooki, Atlas of Islamic Civilization, Riyadh, 1988, p. 206, translated by Dr. Abdulwahab Lo'la".

states: "The seeds of administration thought had not been sown when people "began to play administration". Rather, they were scattered in a literal sense in the soil of human history when humans began attempting extraction of some sort of reasonable logic from what was going on. The journey was long but the course was interesting and attractive. Those who will continue will arrive at a profound comprehension of the heritage from which managers to this day draw from it what they need. They receive a better knowledge of the beginnings and realize how small is that amount of administration that is really new. It will be vividly clear to us that much of that presented to us as new and revolutionary is nothing more than an extension of ideas that were developed in other places and times". 4

The place that Duncan referred to was the countries of the Islamic Arab State, which was distributed over the ancient world's continents: Asia, Africa and Europe. An effective administration and dynamics in a world of rapid change contained these. This time was the time of the Islamic Arab State's public administration, which extended its practice to leadership, administration, and organization. Coordination, information, the incentives and administration examinations systems, and official and non-official channels of communication.

The historical period during which the theory of public administration was constituted and complemented continued for nearly seven centuries. During this period, it was able to contain administrative problems, organize public services, meet the needs of the people and conduct the state machine in its various countries and with its various races.

The place that Duncan refers to was no where except the provinces of the Islamic Arab State. It was distributed over all continents of the ancient world in Asia, Africa and Europe. These were covered by an effective and dynamic administration in a world full of rapid change. This time was of the Islamic Arab State whose practices in leadership, administration, organization, coordination, information, incentives, administration examinations and official and unofficial channels of communication covered all this territory.

The historic period during which the theory of public administration

4 Great Ideas of Administration, p. 28.

was created and completed was one of nearly seven centuries. Problems were contained, public services organized, the needs of people satisfied and the state machine operated in the various regions covering various races. 5

The experience of the Arabs in public administration must be learnt and taught in the various faculties of administration. It is a rich and rational experience that drew upon all useful experiences of ancient public administration. It is an experience that did not hold itself aloof from copying some administration systems and ideas from others. This was copying that contained the personal capability of Arab administration to contain everything new and make it serve the new interests and emergency circumstances of the State and its administration organs. We are not far from the fact that the Omayyad Caliph Abdulmalek bin Marwan had all state registers, the currency, the administration organ with its employees rendered into Arabic by transferring all those unable to subject the Arabic language and use it in the new administration at all levels.

The fact that the Arabs were only 70 years late in Arabizing the administration does not establish a failure in their administrative potential and capabilities. Indeed, this delay was only to develop Arab competence and capabilities to replace the non-Islamic elements with Islamic administration employees.

So that we do not expand in this introduction we will refer to each of its paragraphs with a sound research topic to give it its due right. At first we will glance at the unique administration experience of the great Prophet Muhammad (peace and blessings of Allah be upon him [SAWAS]) in Al-Madina and the fundamentals that he established in the features of the new state.

In the seventh century the western half of the Roman Empire, with the culture that it represented, had fallen since two hundred years by reason of the attacks of the Germanic nations. Its eastern half remained facing the Sassanians who were the heirs of the ancient empires extending from the Urals to Iraq moving through Iran.

The Persians were able to occupy all of these territories upto the shores of Syria and Egypt on the Mediterranean. The Romans – now calling themselves the Byzantines – in the end were able to make the

5 This is the period when the Islamic Arab State appeared. It begins in the Prophet's age in Al-Madina and ends with the fall of Baghdad in 1258 AD.

Persians leave those coasts. Even so, the two states still held a great deal of domination and power when Islam appeared.

To some the spread of Islam and its sudden conquests seem to be transcendental matters. A Bedouin nation had been able to unite its word because of a new creed. Only a few years later it had spread its domination over the whole of the Sassanid Empire as well as all of the Asian and African provinces of the Byzantine State. Then, it drew itself upon the larger part of Spain, as well as Sicily Island and occupied other positions in the European continent. At the same time it was at the gates of India, China, Ethiopia, the Sudan, Galia and Constantinople. Before it stood the most ancient states. In the end they all the religions that had established themselves in the far-spread lands from Sihun River to the Senegal were subject to the new religion. As for the new civilization that rose out of these conquests was one of the most flourishing ones. As for the man who changed the whole of this world it was the Prophet of Allah, the son of Mecca and the Peninsula and the product of the ancient nation, the Prophet Muhammad (SAWSA). 6

1.1 Administration organization in Al-Madina (city of the Prophet).

The Arabs were successful in the administration of the affairs of their state during the historical period from 1 A?H to 656 AH. Throughout these seven centuries the precepts of Islam, the organizations of the Prophet and his administration files remained the cornerstone of public administration of the Islamic governments, whether orthodox caliphate or the Omayyed and the Abbasid caliphates. 7

However, the important question here is why the administration? The answer lies in the fact that the fundamental principal in Islam is monotheism and worshipping Allah the One and Only. However, Islam is not restricted on mere establishment of belief in Allah; rather, it is extended to directing the individual's thought towards the universe and the purposes of its existence in addition to organizing his conduct and relations with society according to principles that ensure society's security and cohesion.

This requires organizations that ensure the realization of this pur-

6 Dr. Ismael Raji Al-Farooqi and Dr. Los Lamyia Al-Farooqi, Atlas of Islamic Civilization, (Riyadh, 1998), 1st edition, translated by Dr. Abdulwahed Lo'ala', p. 192 and onwards.

7 Claude Cohen, History of the Arab and Islamic Nations, p. 12.

pose. Therefore, political affairs and administration were a fundamental base in Islam and its state. The Prophet (SAWAS) wanted the establishment of an advanced and developing state that wishes to exploit human potentials. We do not doubt that there are many states that could be described as economically advanced or backward, just as there are states that could be described as administratively advanced or backward. The secret of development does not lie in the accumulated of wealth but in the manner of its employment, exploitation, the use of human power and make it extract the best that is in it of creative and innovative potentials. Many of the developing states know what they want. However, they remain in dire need for knowing how to realize what they want. The problem with these states is not the difference in what they possess or do not possess. It primarily lies in the optimal use of that extent of what they possess. From here it is possible to determine what the Holy Prophet did.

He knew what he wanted and planned, in the light of his circumstances, the manner of arriving at his goal, through his migration to Al-Madina and building an administrative base for a strong developing state. Strong with what? With a small united and intellectually and psychologically homogenous and affiliated to a new religion that had granted them obedience, control, and discipline. With this small group the Prophet organized the affairs and administration of his state. So let us see how did the organization proceed?

1.2 Leadership of the Holy Prophet

The Holy Prophet's status was reinforced to a primary degree for his being the Messenger of Allah, his great and noble character, his being devoid of any manifestations of selfishness, his forgiveness, his eloquence of expression, his strength of conviction and sympathy with the poor and the weak. The Holy Quran refers to some of what distinguished the Holy Prophet. It says : "And lo! Thou art of a tremendous nature".⁸ It affirmed an important matter in leadership and contemporary administration when it said, "...if thou hadst been stern and fierce of heart they would have dispersed from round about thee".⁹

The Quranic verses formulated the general principles and fundamentals by which the Prophet was guided in administration. As for the de-

⁸ The Holy Quran, Al-Qalam, verse 4.

⁹ The Holy Quran, Al-Imran, verse 159. * Al-Baladiri, Lineage of the Nobles, vol. 1, p. 154.

tails the Prophet used to implement what he considered to be in the public interest. Administration did not rest on written texts or decisions of a public council. In essence they emanated from the precepts of Islam and its applications in the public interest.

1.3 The Prophet's concern for preparing leaderships

This is an important topic to which I wish to draw the attention of my colleagues in the Faculty of Administration and those who write on administration doctrine. None of them has shown any interest in it. It is the care shown by the Prophet for preparing various administration cadres and various leaderships to undertake administration and state tasks during the forthcoming days. This aspect answers the questions and dilemma of the Orientalists as to how did the Arabs undertake the administration of the affairs of a huge empire. How did they manage the affairs of their state, which had inherited all the territory of the Sassanid and Byzantine Empire in the Arab world? They did this with competence, ability and stern firmness, as they were educated in a leadership school surrounded by the care and guidance of the Holy Prophet.

The Arabs were able to administer the affairs of their empire with ability and a strong cohesive manner. This enriched administration heritage with the richest experience that acted for the stability and unity of state.

The Prophet always consulted his companions and never imposed his views. This orientation in administration is by a supernatural command, "... and consult them upon the conduct of affairs." 10 And "...and whose affairs are a matter of counsel". 11 He used to listen to his companions but he did not establish a special council or decide whom to consult. The resolutions were issued in his name and this established the fundamentals of authority. These are the elements of political and administration organization of the state for the order and public interest they realize.

From the foregoing it is apparent that the Quran established the supreme administration and political authority in the hands of the Prophet and this linked Islamic individuals and groups to him. Undoubtedly, his authority upon the Al-Muhajereen (emigrants) of Qu-

10 The Holy Quran, Al-Imran, verse 159.

11 The Holy Quran, Al-shoura, verse 38.

raish and the tribes of Hijaz was greater. His authority continued to increase as the numbers of the Muslims increased and was linked to the extent of their being embedded in the spirit of Islam.

1.4 The Prophet's art of leadership

In modern and contemporary history there have appeared on the world stage many nations and states. Impossible military victories have been realized. Strong capitalist firms and mighty trade unions have been created. All this because a group of people possess a capable perception of leadership. The fact remains that not all leaders are managers. Thus, it is difficult to imagine a successful manager if he is a person who does not excel in leadership to a reasonable degree.

Leadership is an administrative and political sphere that is characterized by a degree of complexity and various stands. This field prepares specific challenges for whoever aspires to take steps that constitute a historic starting off point. Thus, we find administration research begins with concentration on a relatively small number of 'great persons' 12 who live in each society and hold posts in each organization. It would appear that they possess characteristics that are not generally spread or distributed in a regular manner within society. From here there must be research in the personality and leadership of the Prophet; indeed, there must be research on selecting him for this difficult task beyond all leaders and people.

Divine will 13 selected a type of leaders for which there was no similarity. If we were to search in the files of great leaders in all ages we will find that the Prophet alone was up to the level of the leadership tasks that he was entrusted with. He succeeded in making the stands that the leader faces and the manner by which he responds to these stands compatible. This stand position and the response to an emergency situation prevail over most of contemporary research carried out on the topic of leadership.

It faced the Holy Prophet with difficult situations and emergency situations that threatened the whole of the mission. So, what should be done? Here, we remember what Ordway Ted wrote on leadership in his book "Art of Leadership" in 1953. He defined leadership as being

12 Great Ideas in Administration, p. 38.

13 Ibn Katheer, The Prophet's Traditions, vol. 2, p. 22, (Beirut, 1990).

“practicing of influence upon people whereby they cooperate for a specific objective that they realize is desirable”. 14

The Prophet used the logic of events to convince his followers to leave the most beloved of cities, their families, property and clans to emigrate towards Al-Madina. It was a call to emigrate to an unknown future whose safety the leader ensures!

It is indeed true that there are numerous ways 15 of leading people. It is possible to employ methods that have an effective impact on building good relations between followers. However, conviction and a call to a certain orientation are more capable of realizing success.

The Prophet resorted to logical convincing dialogue as the means of success; indeed, a means for arriving at the right time to impose his influence and impose the timing of his decision and implement emigration from Mecca to Al-Madina.

Today leaders resort to creating situations that entail problems that enable them to respond to them in a manner that ensures realization of the success of the decision. Perhaps this is what makes us remember the Prophet's leadership that set objectives, which set objectives deserving sacrifice and represented a challenge to which there was a response. The following years the emigration responded with the success of the Holy Prophet in creating the “great society”.

The innovation 16 of the plan and decision meant giving up the old ways. It also meant looking at change as an opportunity and that innovation is the dynamics of action above all considerations.

Through the art of his leadership and the audacity of his decision to emigrate the Holy Prophet proved that the objective that gives the leadership strength must be clear and specific. It is imperative that it should be convincing and attractive and it must be good for those who pursue it with enthusiasm.

14 See the following sources: Duncan, *Great Ideas in Administration*, p. 224; Draker, *Administration for the Future*, p. 517; Younis, Abdulghafoor, *Studies in Public Administration*, (Alexandria, 1997), p. 167; Ntoo and Albarz, *Fundamental Concepts of Administration Science*, p. 33; Bin Habtoor, Abdul Aziz, *Comparative Public Administration for Higher Studies Students*, p. 33, 1st edition 2000, Jordan.

15 Al-Kubaisi, Amer, *Public Administration Theory and Practice*, p. 20.

16 For further information on the subject of leadership and innovation see: Draker, *Administration for the Future*, p. 514; Duncan, *Great Ideas in Administration*, p. 147; Phifter and Sherwood, *Administration Organization*, p. 21 and onwards.

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The "stand law", as discussed by Follet, indicates that the stand is generated and the leader only responds to it in a unique manner. Ted says something similar to this but takes a different trend when he notices that a leader of vision and wisdom creates the stand. I believe that the leader must envision that which is not perceived. 17

Despite the "logic of events" and the "stand law" and "innovation" denote change as an opportunity; the study has proved that successful leaders possess personal potentials that are known. The most important of these is the potential of endurance, 18 sensing the direction, the strength of companionship, sympathy, and truth along with an honest conscience.

The Holy Prophet bore the responsibility of his decision to emigrate. This increased the trust of the emigrants in the fact that there is someone who deals with dangerous problems and plans to overcome them. If they appear on the stage he has planned for them his expectations, just as any leader competent in his task does.

Emigration was an innovation or a confrontation of a dangerous stand threatening the mission in its early stages. The Holy Prophet's planning was a regular one in coordination with the residents of Al-Madina. It was based on conventions and treaties that could not be set-aside by the two sides and it is these conventions that ensure the success of the emigration. They realized the landslide success for the new force in Al-Madina.

17 Duncan, Ibid, p. 150.

18 About the energy of the Prophet in enduring difficulties in Mecca before emigration see Ibn Hisham, The Prophet's Traditions, vol. 2, p. 41, and for his bearing the travails of a journey to Al-Tayef and the violence that he had to face see Ibn Saad, The Greater Strata, vol. 2, p. 41.

1.5 The Prophet's information experience serves the planning mechanism's coordination and organization.

All contemporary studies stress the role and importance of information in the service of the organization and coordination of the work of its organs and the arrangement of priorities of planning for its success. 19

Draker considers that the leader is in dire need of skill and he summarizes it in the following: "Search for the information that you need to perform two duties. People should learn how to bear the responsibility of information requirements that relate to them and the responsibility of information that relates to others in an increasing manner. Each individual who bears the responsibility of leadership must perpetually think of information that he needs and which his organization needs to make a valuable contribution through his/her function".

The responsibility for information raises another primary issue. The leader must ask himself what he needs? From whom? At what time? In what form? Those who are able to provide the information must know and understand their responsibility and what precisely is required of them? This alone can assist the leader to organize his work and that of his organization and perfect complementation between the two. When we arrive at his point the task, which seemed to be an apparently insurmountable obstacle and requires a special team for this purpose in particular seem less great and dangerous by far.

The Holy Prophet was charged with the task of taking the Arabs out of darkness to light. It was a task that was not, in its greatness and danger, charged to any other person before or after him. The Prophet was charged with the task of taking out a whole nation from darkness to light. The task was a divine one and an enormous honor for the Prophet and those with him. "It is a memory for you and your nation and you will be held accountable". 20 It is the task of taking out a nation from darkness to light. The emigration from Mecca to Al-Madina entails a responsibility whose burden cannot be borne by generations. So how will thought of it, its organization, the collection

19 Draker, Administration for the Future, p.523, Younis, Studies in Public Administration, p. 294, Hashem, Dr. Zaki Mahmood, Scientific Administration (Kuwait, 1979), p. 240, 2nd edition.

20 The Holy Quran, Indexed Glossary, p. 349.

of information for it, preparation of its priorities and the distribution of responsibilities for its success is established?

The Holy Prophet thought of emigration to Al-Madina. However, he kept the thought of its preparation a secret. He first contacted Al-Madina's delegations coming to Mecca during the pilgrimage season to know their conditions, tribes, nobles and personages and indeed their needs.

It is reported ²¹ that the Prophet contacted Bani Abd Al-Ashhal who had come to Mecca seeking an alliance against the Khazreg. ²² However, the delegation did not respond to the Holy Prophet's religious and ideological call. They said to the Prophet, "We came for other than this". ²³ Their purpose was political and domestic and the Prophet did not aim at this.

The first fruitful contact between the Prophet and the residents of Al-Madina City was when some of them came to Mecca. The Prophet contacted six of them and called them to embrace Islam, which they did. They were from various clans, of status among their people and did not give too much consideration for their personal interests. When they returned to their people they mentioned the Prophet to them and invited them to embrace Islam until it spread among them. There did not remain a house of the Ansars (champions) in which there was not mention of the Messenger of Allah. ²⁴

In the second year twelve of those who had embraced Islam came to Mecca. Among them were the first six. All of them embraced Islam and gave the pledge of allegiance to the Prophet that they would not worship besides Allah any one. They would not show intemperance, nor commit adultery or kill their children. This was the first pledge of allegiance and during it there was agreement that the Prophet would send Masa'ab bin Umair to read to them the Quran, teach them Islam and make them understand the doctrine.

Masa'ab bin Umair Ali Asaad bin Zarah undertook clarification of the precepts of Islam, which gradually began to spread. It was not restricted to one tribe and was spread in all the houses of the Ansar (champions).

²¹ See the details in Ibn Hisham, *The Prophet's Traditions*, vol. 2, p. 34.

²² Al-Yaqoobi's *History*, vol. 2, p. 20.

²³ Al-Baladiri, *Lineage of the Nobles*, vol. 1, p. 230.

²⁴ Ibn Hisham, *The Prophet's Traditions*, vol. 1, p. 268. See also Bernard Louis, "Politics and War" in chapter four of the book *Heritage of Islam* (Kuwait, 1988) second edition, p. 231.

In the second year took place the second pledge of allegiance of Al-aqaba. A number of the residents of Al-Madina came. There were seventy men and two women to contact the Prophet and give their pledge of allegiance. They were from various clans. They were original Arabs of independent legal will. There were no slaves among them and all took part in the first Al-aqaba pledge of allegiance.

Sources 25 mention that the Prophet appointed twelve of them captains to be their guarantors. These were distributed among the various clans. They had taken part in the pledge of allegiance, which was completed, in a single night.

The second pledge of allegiance at Al-aqaba is an important event in the history of Islam. It give expression to the determination which the Muslims of Al-Madina to protect the Muslims of Mecca. The pledge of allegiance was an "accord of consent" of a legal nature to which the two sides had given agreement.

The legal relationship between the Prophet and the Al-Madina Muslims was called "al-baia" or pledge of allegiance. The word is derived from the source "albay" (sale). During the time of the Prophet it denoted the pledge that took place between the Prophet and the one who embraces Islam and pledges to implement the conditions of the pledge.

During the second Al-aqaba pledge of allegiance its conditions were developed. It said, "You pledge to obey me and to champion me should I come to you". 26 The Al-aqaba pledge of allegiance ensured for the Prophet a new base constituted of several disparate clans, that were devoid of a central authority, a general political organization and a chief who could bring them together and organize their affairs.

The Al-aqaba pledge of allegiance did not explicitly grant the Prophet extensive powers. However, the mere acceptance of Islam must establish the Prophet's extensive powers. If the circumstances in which the Al-aqaba pledge of allegiance took place required that there should be no explicit provision of the Prophet's powers Ibn Omar (Allah be pleased with him) mentions, "The prophet used to require obedience in the pledge of allegiance and then say to the ex-

25 Ibn Hisham, vol. 1, p. 273.

26 Loyalty of the Loyal, vol. 1, p. 164.

tent that you can.” Confirmation of obedience is an important part of the pledge of allegiance characterized by individualism, as there was no custom of subjugation to an external power. This matter led to the non-establishment of a stable political system before the Prophet entered the city and established himself there.

The organization of the migration and coordination with the Ansar (champions) in the second Al-aqaba pledge of allegiance laid the foundations of the success of the great organizational task. The objective of the Prophet was to ensure the success of the emigration and thereafter work to establish the foundations of his authority and administration.

Once the Prophet was settled in Al-Madina he continued his efforts to propagate his mission. However, the new circumstances in Al-Madina necessitated that he arrange various issues in a manner that ensures organization of society and administer the affairs of his government. It was an administration based on the precepts of Islam and on Islamic fundamentals and organization. Let us consider the nature of these administrative organizations and the fundamentals on which his growing state was based.

1.6 Sovereignty and power in Islam

The Holy Quran established sovereignty in the state for Allah alone. The holy Quran states: “Thou givest sovereignty unto whom Thou wilt, and Thou withdrawest sovereignty from whom Thou wilt... In Thy hand is the good. Lo! Thou art Able to do all things”. 27 The Holy Quran made it explicit that supreme power in Islam for Allah alone. He is the source of all sharia legislation. “The decision is for Allah alone”. 28 “The command belongeth only to Allah, the Sublime, the Majestic”. 29 Almighty Allah represents the supreme authority in the field of public interest. 30 On this basis the treasury is the “treasury of Allah”. 31 The soldiers are the “soldiers of Allah”. 32 The horses in jihad are the “horses of Allah”. 33 Allah has mandated supreme authority in matters of earthly life to Prophet Muhammad. Thus, the great Prophet rules in the name of his God because he is the “Messenger of Allah”.

27 The Holy Quran, Al-Imran, verse 26. 28 The Holy Quran, Al-Anaam, verse 57.

29 The Holy Quran, Al-Ghafer, verse 12, Al-Sanhooi, Fundamentals of Law, [30.

30 Andrew Vincent, Theories of the State, p. 79, translated by Dr. Malek Abu Shahaiwa, (Beirut, 1997).

31 Al-Baladiri, Conquest of countries, p. 384, Lineage of the Nobles, vol. 5, p. 53

32 Al-Tabari's History, vol. 6, p. 262. 33 Ibid, vol. 5, p. 260.

1.7 Mandate of authority in the Islamic Arab³⁴ State

The authority to rule in Islam was deposited with the Messenger of Allah, He rules the people with what Allah has given of commands. "So judge them by that which Allah hath revealed....".³⁵ The Holy Quran states that the Messenger of Allah should rule over the people. Almighty Allah said, "Lo! We reveal unto you the Scripture with truth, that thou may judge between mankind by that which Allah showeth thee...".³⁶ So the Prophet's rule is the rule of justice. The Holy Quran states, "And Allah would turn you to mercy....".³⁷ So administration and actual rule in society or what in the modern age is called "authority" was in the hands of the Prophet who has a very special status as the Messenger of Allah chosen by Allah to convey His message and impose upon the people obedience. Allah states, "What the Messenger brings to you take it and that which he forbids set aside".

1.8 Administration of the City's Affairs

The Holy Prophet exploited his status in Al-Madina, the authority mandated to him and the obedience extended to him by the Ansar and the emigrants to organize the affairs of the city. There had to be a strong and cohesive base from which the Muslim group could proceed towards the building of the state.

The state that the Holy Prophet established in Al-Madina is a great-civilized edifice that discloses his genius in organization. He created something out of nothing. There was no state in Al-Madina to establish something similar to it in its organization. He built the state step by step and block by block on a new land and a strong group of Ansar and emigrants. Both had not known state organizations before. Nor had they known State authority nor the nature of relations between the ruler and the ruled.

The features of the state appeared and opened up in a gradual manner. The authority of the Prophet was imposed automatically and in a voluntary manner that did not arouse tribal inclinations among all.

³⁴ Authority is that one person orders another until he obeys and bears the burden of obedience. Legitimacy is based on this as a characteristic of ability (Phifter and Sherwood, Administration Organization, p. 86).

³⁵ The Holy Quran, Al-Maada, verse 48.

³⁶ The Holy Quran, Women, verse 105.

³⁷ The Holy Quran, Index, p. 26.

The first measure taken by the Holy Prophet was the issue of the first constitutional document in Arab administrative life. It was organization of the state's affairs, its authority and coordination of relations between the leader and the residents of the city. He had undertaken to lead matters pertaining to its administration. It was the prophetic revelation or the constitution of Al-Madina as some historians have called it. It was a revelation that contained a group of legal paragraphs that determined authority for all and organized their bonds with the Prophet. So let us consider it.

1.8.1 Constitution of Al-Madina ³⁸

Almighty Allah imposed upon the Muslims obedience of the Prophet. ³⁹ They had been so commanded in many verses of the Holy Quran and all of these affirm, "Obey Allah and the Prophet", ⁴⁰ "Whosoever obeys the Prophet has obeyed Allah" ⁴¹, "He who obeys Allah and His messenger and fears Allah and keeps duty unto him: such indeed are the victorious" ⁴¹ and "Remember Allah's grace upon you and His covenant by which He bound you when you said: We hear and we obey..." ⁴² Almighty Allah made obedience of the Prophet and belief in one pan, as no one believes in Allah except those who obey the Prophet. Allah said, "But nay, by thy Lord, they will not believe (in truth) until they make you judge of what is in dispute between them and find within themselves no dislike of that which you decide, and submit with submission". ⁴³ In many verses there is denunciation of disobedience.

In the following paragraphs I will take up administration affairs taken up prophetic revelation. The first is: -

1.8.2 The Nation

The Prophet's declaration stated that all Muslims are "a single nation from among people" or a single mass whose members are linked to-

³⁸ The text of this constitution is found in Ibn Hisham's "Traditions", vol. 2, p. 119 and onwards and in Abi Obaid's "The Funds" and onwards. Excerpts are found in some old sources, which have been compiled and published by Muhammad Hameed Allah in his book "Political documents of the ages of the Prophet and the orthodox caliphs". These have been published in numbered and organized paragraphs. We refer to them in our study. An orientalist such as Dr. Montgomery Watt studies them extensively in his book, "Muhammad in al-Madina".

³⁹ See Indexed Glossary of the Holy Quran's Words.

⁴⁰ The Holy Quran, Al-Imran, verses 32, 132' Al-Anfal, verses 1 and 20, Al-Mijadala, verse 13.

⁴¹ The Holy Quran, Women, verse 80.

⁴² The Holy Quran, Al-Noor, verse 52.

⁴³ The Holy Quran, Al-Maida, verse 7.

gether by a religious creed. Organization is based on intellectual, moral and ideological foundations, and not on the basis of blood. The nation is capable of expansion. It does so when the number of believers in the new creed increase.

So long as the nation rests upon the link of creed it rests upon spiritual and moral principles and politics in Islam is closely merged with belief and morals.

The nation is a single mass and that "Allah's pact is one and imposes upon them their lowest" and that "the believers are custodians of each other excluding people". Muslims are equal in blood as their "blood money is one. The Muslims do not leave any chance to commend the good and the chaste among the believers. They are one word and each protects the others and enjoys their protection and is favored with their assistance when he needs it.

The unity of the nation and its collective mass and spirit is apparent in the duty of having the Muslims preserve security, chase the corrupt and refrain from protecting those who violate security, even if these be their children. The declaration stated "that the pious believers have their hands against those who violate and corrupt or their striving is unjust, crime, aggression or corruption of the believers and that their hands are against him together even if he is one of them".⁴⁴

1.8.3 Justice and the judiciary

The most worst and prominent shortcoming of the Ignorance society was the loss of justice and the judiciary. This was a matter of anxiety and social disturbance before Islam. The declaration stated that "it is not possible for the subscribers to this declaration to fear any event that could lead to quarrel or corruption as "all matters are referred to Allah and Muhammad, the Messenger of Allah". With this article the Prophet created a general judicial authority applicable to all. It is central in that it is referred to Allah and to the Messenger of

⁴⁴ The Holy Quran, Women, verse 65. This verse has been interpreted as that the believers do not know what is obligatory by faith until they return to the command of the Prophet in whatever they dispute and accept his ruling and command (Al-Zamakhshiri's Interpretation, vol.1, p. 529). Any one who does not accept the Prophet's command is not a believer as the return of the Muslims to the Prophet in their disputes is a condition of faith. Thus, the idea of law through religion came upon the Arabs and became part of their intellectual heritage. However, the command of the Prophet was not divine. The Prophet said, "I am only human. If a disputant comes to me I may find that some of you are better said and I find him truthful; so I judge for him". (Al-Bukhari, vol. 4, p. 396; Al-Shafie, The Mother, vol. 6, p. 199).

Allah. It is characterized by a divine nature and it has executive force. The judicial authority was not limited to the Muslims. It also included the "participants from Quraish and the residents of Yathreb and those who followed them and undertook jihad with them". 45

1.8.4 Public security

The declaration stated that "it is not permissible for a believer who has admitted that which is in this declaration and has believed in Allah and the hereafter that he should support an induced one or offer him shelter. He shall be accursed by Allah and His wrath shall be upon him on Judgement Day and neither he will be discharged nor considered just."

Security in Al-Madina was public and central to whose realization all contributed in their interest and not in execution of external orders. The Prophet did not form a police force in Al-Madina to chase the criminals; nor did he establish prisons to confine them.

The issues that were made central and in the hands of the Prophet were restricted to those were relating to public security.

1.8.5 War and peace

One of the collective manifestations in the Prophet's administration organization at Al-Madina was the issue of war and peace. The declaration included several paragraphs that affirmed that participation in battle is not restricted to some Muslims, while others remain in a state of peace with the enemy. Muslims cooperate with each other in the blood of whosoever of them is killed for the sake of Allah. 46

In the declaration is a paragraph that states "None of them goes out to battle without the permission of Muhammad." What is meant here is not permitting the Jews to declare war except with the permission of the Prophet. The declaration also provided that "Yathreb (the old name of Al-Madina) in its depths is inviolate to those subscribing to this declaration". This means that war and battle among the tribes and clans are forbidden and peace should be established in Al-Madina. Undoubtedly, the use of the word "censure" is meant to give the Muslim a religious nature. Its effect is stronger and cannot be arrived at with excellent and satisfactory results except by giving regard

45 See also Dr. Al-Ali, *Studies in Administration*, p. 79.

to the human aspect.⁴⁷ This is what the document referred to by affirming the freedom of the individual in work and pursuing a vocation that fits him and the freedom of movement in any place. All of that is within the context of the nation. It is not permissible for the individual to undertake acts that damage the collective interest. Similarly, the nation cannot restrict the individual's freedom unless it damages the interest of all.

The declaration also provided that "No one gains except what is upon him". It also affirmed the moral fundamentals in social relations. It provides for "Allah is beneficial to the one who is charitable and pious".

1.8.6 Management of the Human Element

Modern studies in the science of administration affirm the importance of the human relations' school in administration thought. These studies no longer consider human beings in the context of administration a mere simple economic being; indeed they consider him a complex human being from the psychological and social aspect. In the light of that, modern administration thought affirms human relations and the science of behavior.

The prophet as leader of Al-Madina's society managed the human element cleverly and with the vision and perception of the competent expert, especially in respect of the clans. At a time that he affirmed the unity of the nation and the public interest, the Prophet approved the clan system as a basis of stability of Al-Madina, payment of blood money and cooperation. He stipulated that the all the clans "in their quarters are rational in their strongholds and ransom with grace". He also mentioned the clans of the Ansar when he said, "Each clan feeds that which is of grace and justice between the believers".⁴⁸

The declaration stipulated that "a believer does not ally himself with the slave of a believer without his consent". By this he approved retention of loyalty and barred the violation of the slaves without the consent of their masters. It is known that the loyalty establishment is an ancient one. There are benefits in it for the slave and the clan. It enables the slave to pursue his activity and work under the protection provided by the master. Similarly, the clan benefits from the presence

⁴⁶ Ibn Katheer, The Prophet's Traditions, vol. 2, p. 319.

⁴⁸ Ibn Katheer, The Prophet's Traditions, vol. 2, p. 321.

of slaves who increase its numbers, provide some assistance to it and furnish it with strength. As the bonds of loyalty are not settled as the bonds of blood, the free movement of slaves often leads to insecurity, anxiety and the creation of social, political and administrative problems. The Prophet sought after setting these aside by barring the alliance of slaves without the consent of their masters.

The retention of the clans' bloc by the Prophet is owed to his deep penetration of hearts and his status in life. It is natural that such a clan organization must be eliminated after the precepts of the new religion had penetrated the hearts. The clan bloc lies within the nation's association and it contains it and it is subject to it.

It is noticeable that the declaration did not mention any name of any person in particular, save the Prophet. It did not also mention the chairmanship of any of the groups that I have mentioned. This shows that the Prophet was dealing with groups and individuals directly without determining any head who had the authority or the mediation that may bar direct contact with the Prophet. The Prophet took care to retain direct personal contact with all Muslims. He considered the clan and the tribe to be social gatherings rather than an administrative or political bloc.

The Prophet used to deal with personages considering them individuals of the nation and not heads of political blocs.

From what we have mentioned it becomes clear that the Prophet's administration in Al-Madina was directed to the establishment of a central authority. The nation had to be a linkage of individuals enjoying freedom of work and organization. The central authority had the right to be concerned with justice, public security, the judiciary, war and peace. In this way these organizations were established in Al-Madina. When the Prophet's state expanded to include all parts of the Arabian Peninsula the administration organization pursued another path that was suitable to the development of conditions. So let us consider it.

1.8.7 Fraternit

The Prophet announced fraternity between the emigrants and the Ansar. This is different than an alliance and entails financial obligations. It covered men of the emigrants and a similar number of An-

sar. The fraternity took place in the first month of the Hijra era.

The purpose of fraternity is social and psychological. It ensured for the emigrants a close relationship with the residents of Al-Madina. It alleviated their isolation and expanded the scope of their relations. It ensured for them a spiritual salt that assisted in alleviating their travails. It firmly established the ideals that Islam called for and stood. 49 Fraternity extended to economic assistance.

1.8.8 The Mosque and Shoura

Tradition mentions that when the Prophet reached the territory of Al-Madina he began to build the walls of his mosque. It was the house of Allah and the center of the Islamic call. In it were considered alliances, wars declared and prayers organized. The Prophet spent most of his time in it and he conducted his consultations and meetings with Muslims there as it was the premises of the "Islamic group". 50

In the mosque the Prophet used to consult his companions in most of his decisions and ideas. In the mosque as well were issued most of his directives concerning the administration of Al-Madina's affairs. The administration was did not rest upon established texts or decisions of public councils. They were primarily emanating from the precepts of Islam and its applications based on the public interest.

The Prophet used always to consult his companions. He never imposed his view as Almighty Allah had commanded him to consult. Allah says, "... and consult them upon the conduct of affairs..." 51 ... and whose affairs are a matter of counsel..." 52. He used to listen to the views of his companions, but he did not establish a special council or determine whom he should consult. The decisions were issued in his name and by this the fundamentals of authority, which is the most important elements of political and administration organization, were established and order and the public interest realized.

Ted (one of the leading American administrators) mentions, "the new leadership depends upon excellent leadership and the leader

49 Ibn Hisham's Traditions, vol. 1, p. 120.

50 Briggs, Christie Arnold, The Heritage of Islam, p. 117, translated by Dr. Zaki Mahmood Hassan, 1st edition (Damascus, 1984).

51 The Holy Quran, Al-Imran, verse 159.

52 The Holy Quran, Al-Shoura, verse 38.

points the way. But the followers have to ascertain whether the way is the right one". Duncan described this idea as the depth. 53 I point out that the depth of this idea reverts to the time of the prophet. The divine will had guided him to consultation and thereafter was the firm will. "If you are determined on something then depend upon Allah". In respect of the determination of the decision the Prophet often resorted to it and took assistance from it after taking into consideration the entire thesis, alternatives and ideas from his companions. If he became determined he used to adopt the decision, which became a reality for the companions. The decision of the Prophet is the correct one and all they have to do is follow it voluntarily and with awareness.

1.8.9 The caliphs in administration

During his temporary absence from Al-Madina by reason of war, the Prophet used to appoint a man from among the Muslims to take his place as the "caliph". The caliphs were numerous and he did not formulate an established basis for selecting them. These caliphs were from various clans and some were from the migrants of Hijaz. Sources do not mention the administration tasks required of these caliphs during the period of their appointment, which was usually of a short duration. Perhaps, their tasks were restricted to administration matters and not military ones. The caliph Ibn Khayyat has a list of the caliphs appointed over Al-Madina by the Prophet. 54

1.9 Administration organization in the Arabian Peninsula

The state of Islam during the first four years from the emigration was restricted to Al-Madina. Emigration to it and settling there was a condition for whoever embraced Islam. When after the fourth year Islam spread to the Hijaz clans outside the city it was permitted for some who embraced Islam to remain in their homes, provided that come out to help the Prophet whenever that is required of them.

After the conquest of Mecca the state extended to most parts of the Arabian Peninsula. This expansion took place peaceful and with the initiative of those who had embraced the new religion. This was apparent from the delegations that voluntarily came to the Prophet

53 Great Ideas in Administration, p. 228.

54 History of Khalifa bin Khayyat, vol. 1, p. 61.

and declared their embrace of Islam. The matter required the adoption of new administration organizations that ensure realization of the objectives and the perpetuity of the Islamic State. 55

These conditions required the adoption of new administration organizations suited to the existing local governments in the Arabian Peninsula at that time and the most optimal means for making their relations with his state closer. However, all these organizations were leading to the realization of the nobler objective of establishing the state of Islam. The administration organization was subjected to this nobler aim and follows it. So long as the cities, villages, tribal groups and their chiefs are closer to Islam and the sovereignty of the state there was no command for their isolation or interference in their standing. The Prophet's famous hadith (saying) is "The best among you during the age of ignorance is the best of you in Islam". 56

The major source for the study of the administration and financial organizations approved by the Prophet in the Arabian Peninsula are the letters and directives that he sent. In these are administration directives to be acted upon. Muhammad Hameed Allah has collected what has reached of them in his book, "Political documents of the ages of the Prophet and the Orthodox Caliphate". These directives are of various types. Some of them are directed to groups (clans or countries) and some are long texts such as the Najran Treaty. All of them were issued during the last three years of the Prophet's life or following the conquest of Mecca in 8 AH. This is the time when the delegations came to the Prophet declaring their and their clans' embrace of Islam. Among them was the delegation of the people of the Yemen headed by the delegation of Hadhramout. 57

These letters were written to various persons and groups living in various parts of the Arabian Peninsula. Among them were great chiefs or rulers or groups, some of which were Bedouin clans or tribes. Some others are directed to groups living in industrial and trade centers that had stable administration and political systems.

The most prominent fact mentioned in these books is the amnesty that the Prophet extends. This is seen in the terms of "neighborliness,

55 Ibn Katheer, *The Prophet's Traditions*, vol. 2, p. 322.

56 Al-Bukhari, vol. 8, p. 12; Dr. Al-Ali, *Studies in Administration*, p. 92, Claude Cohen, *History of the Arab and Islamic Nations*, p. 15, Schaht. *The Heritage of Islam*, vol. 1, p. 20.

57 On this topic, especially the delegations of the Yemen, see Ibn Saad, *The Greater Strata*, vol. 1, p. 39, Ibn Hisham, vol. 4, p. 239

safety, inviolability. There is mention of "inviolability by Allah and inviolability by Muhammad". By this is meant pact, protection and non-aggression. There is inherent affirmation of the sovereignty of the State of Islam and the Prophet. Thus, all must accept the administration directives the administration directives issued by the central authority. This takes into consideration the interest of the nation without limitation to the various limited local ones. Did the Prophet leave for these groups a pattern of local governments linked to the central authority from which they receive administration directives and acts within these powers?

1.10 Financial Affairs Employees "Charity Employees"

In the ninth year of the Hijra the Prophet was concerned with organizing the collection of charity funds. During this year he distributed his governors and in this regard, the word of Almighty Allah states, "and take from their funds charity". 58

The charity governors were sent to the people of Hijaz, the Yemen and the clans of Taie and Tameem. These governors were called the "charitable".

1.11 Local governors

The Prophet was also concerned with the dispatch of a group of "governors" to the urban provinces and centers such as Mecca, Al-Taif, Bahrain, Oman, Al-Yamama and several governors to the Yemen. Each one of them was allotted a section to govern.

The imposition of charity represents the legal right of the state to collect funds from Muslims according to specific fundamentals called the portion of charity. However, it does not mean that it was a stable source of the resources of the central house of funds or treasury. What is apparent is that the yield of charity used to be spent according to the directives of the local authorities and not sent to Al-Madina, except that which remained of it.

1.12 Final word on the prophet's administration

In more than one verse the Holy Quran has affirmed obedience of the Prophet and linked obedience of Allah to obedience of the Proph-

58 Ibn Saad, The Strata, vol. 1, p. 115.

et. This orientation gave the Prophet's administration the power of implementation far from office administration.

He enjoyed a strong central authority as the conditions of Al-Madina and the prevailing clannish spirit required that the Prophet should hold all power within the context of directives. Even so, he used to consult his companions on his decisions and then adopt the decision upon which the consultations were gathered. His decisions were very strict, disciplined and implemented.

It was not long before the Prophet developed his central authority in Al-Madina into a decentralized authority when the whole of the Arabian Peninsula fell under his rule and authority. The Arabian Peninsula with its tribes, vast area and plurality of centers of influence and forces required that he should empower its local rulers with authority to administer their units, cities and clans. Even so, the charity funds used to be sent to Al-Madina, which was then the central city of the Prophet's central government.

From this we can perceive the administrative flexibility of the Prophet's powers as the circumstances may require. His letters and directives used to be sent to the rulers of distant regions and this establishes his administration wisdom and clear perception of Arab spirit and the tribal spirit with which he dealt in every case as circumstances may permit.

2. Fundamentals of public administration in the Orthodox era

2.1 Political entity of the orthodox state

An Abbasid historian states, "As for the Islamic state of the first four caliphs (Abubaker the truthful, Omar bin Al-Khattab, Othman bin Affan, Allah be pleased with him and Ali bin Abi Taleb, Allah grace his face) it was more similar to religious rather than temporal ranks in all things. One of them would wear a coarse robe, on his feet two fibroid shoes, a fibroid sword belt and walk in the markets as if he was one the subjects. If he spoke with one of the subjects he made him hear words tougher than his. They used to consider this to be of the religion, which was revealed to the Prophet. This tradition of theirs is not of the type of the kings of the earth. It is more similar to matters of the hereafter and prophecies". 59

The Arabs were greatly anguished by the death of the Holy Prophet in 11 AH. His death was a great calamity. From the stage of the state disappeared the legislator and leader. This event was not believed easily by many as "people were astonished and their minds were disarrayed". 60 They could not easily comprehend that the man who had in a few number of years changed the face of the whole Arabian Peninsula was subject to the same laws as human beings are subject to.

The fundamental and important question was who leads the nation? The Prophet was the founder of the state and it was imperative that one of his companions should succeed him and the Arabs should continue their mission through the new religion. 61 In Bani Saad'a roofed passage the Ansar met to select Saad bin Obada. When Abubakr, Omar and Abu Obaida heard of this they went there, as the unity of the nation should not be touched and the entity of the Arab State must not be weakened.

After a long discourse the Ansar proposed "From us an emir and from you an emir, O Quraish". Omar rejected the proposal by saying, "Never could two swords be placed in a single hold". 62 He took the

59 Ibn Al-Taqtqa, Muhammad bin Ali, The proudest in Sultanlic Literature and the Islamic States, (Beirut, 1966), p. 29.

60 Al-suhaili, vol. 4, p. 272. * Al-Siyooti. History of the Caliphs, p. 29.

61 Sayyed Amir Ali, Excerpts of Arab History, p. 27.

62 Al-Suhaili, vol. 4, p. 273.

initiative by giving the pledge of allegiance to Abu Bakr. Omar justified his pledge of allegiance considering it a decisive matter out of the fear that the unity of the nation would be dispersed. The pledge of allegiance given to the Truthful to bear the caliphate was on the first day of the death of the Prophet. The Arabs hated to "remain part of the day without being in the group". 63

Following the day after the passage pledge of allegiance the nation gathered at the mosque. They gave Abu Bakr the pledge of allegiance following that of the passage. 64 The nation came out united with a massed and united inner front under the leadership of Abu Bakr who pursued a wise policy, which he summarized in his statement, "I am but like you. If I follow the straight path follow me and if I got lost put me on the right path". He further stated, "The weak among you the strongest before me until I render him his rights and the strongest among you is weak before me until I take the right from him". He added, "Obey me so long as I obey Allah and his Prophet. If I disobey Allah and his Prophet you owe me no obedience". 65

In the presidency of the state is apparent an extremely modest democratic spirit that relies on the foundations of shoura (consultation) in the selection of the head of state and the adoption of decisions,

His caliphate lasted two years and three months. In his last days he was occupied with the nomination of Omar for the caliphate. The nomination was correct, as Omar was the most prominent and competent companion for this task. He was the first of the companions of the Prophet who was embedded in the ideas of Islam and its school. Throughout Abu Bakr's caliphate he was deeply involved with the administration of the state.

Al-Siddiq (the Truthful) died in 13 AH and Omar was given the pledge of allegiance as caliph. Throughout his heading the state – ten years and six months – he was occupied with strengthening the fundamentals of administration in the state. He was truly the capable engineer of the Arab State. His accomplishments were described in brief: "He marshaled troops, transformed cities, established offices, imposed dues, wrote history and selected the judges and allocated salaries for them".

63 Al-Tabari, vol. 3, p. 207.

64 Ibid, vol. 3, p. 210.

65 Ibid, vol. 3, p. 224, Al-Yaqoobi's History, vol. 2, p. 117, Ibn Hisham's Traditions, vol. 4, p.

Iraq, the mountains, Azerbaijan. Al-Ahwaz district, the Persian Empire, Al-Sham countries, the Arabian Peninsula, Egypt and Alexandria were liberated were liberated.

After a vicious Persian hand stabbed Omar the matter of selecting a head of state became pressing. The matter was placed in the hands of an elite of the major companions of the Prophet: Ali, Othman, Abdulrahman bin Ouf, Alzubair bin Al-Awwam, Talha bin Ubaid Allah and Saad bin Abi Waqqas. 66

Omar did not leave the matter of the caliphate to the persons of the shoura without controls. He prepared a precise organization of the Shoura Council, which we will study in some detail in the following pages.

The Shoura Council selected Othman who was given the oath of allegiance in 24 AH. He undertook the caliphate after the nation had accomplished most of the liberation movements. However, his era witnessed the conquest of Armenia. It also witnessed the greatest accomplishment of Islamic history, which was the "compilation of the Holy Quran".

When Othman was killed in the year 35 AH the nation gave the pledge of allegiance to Ali bin Abi Taleb who was the oldest person in Islam. He had stood with the Prophet in all the battles of Islam. The flag of the Prophet was always his portion.

His caliphate lasted five years (35 AH – 40 AH). This was the most stormy period as the murder of Othman preoccupied him and then led to his end when he was killed by vicious hands during morning prayers. With his death the nation lost the last of the orthodox caliphs. He was martyred in 40 AH even though he had devoted his whole life to Islam and placed his sword and intellect in the service of the dignity of the Arab State.

66 Lineage of the Nobles, vol. 5, p. 17, Al-Yaqoobi's History, vol. 2, p. 28, Ibn Saad, vol. 2, p. 246, Al-Tabari, vol. 5, p. 13.

2.2 Public Administration during the orthodox rule

2.2.1 Adoption of the principle of the oath of allegiance in the selection of the head of the state.

There is no explicit statement or text in the Holy Quran clarifying the manner by which the head of the state (the caliph) is elected except for the statement that "the matter is of consultation between them". Similarly, there is nothing in the Prophet's Traditions, which shows a clear and special system for the election of the head of the state. It appears that the sharia wanted the Arab Muslims to select a special system for them that would be suited to the nature of their conditions and the circumstances through which they pass.

They chose the principle of the oath of allegiance or "election". However, this oath of allegiance changed with the change of circumstances that surrounded the nation during the life of each caliph. Through this Arab administration proved its ability to adapt to conditions by creating the formulations that serve their political unity and mass the ranks of the internal front.

The oath of allegiance given to Al-Siddiq was based on the initiative of Omar and the consensus of the nation. If the nation had not given its consensus to the oath of allegiance his caliphate would not have been established. It was only through such a consensus that the caliphate of Al-Siddiq was firmly established. 67

The adoption of the idea of the oath of allegiance on the basis of consultation (shoura) made the head of the state "an orthodox caliphate" during the age of Al-Siddiq. It was of a shoura nature and the caliph was bound by a constitution, which was the object of reverence by the nation, i.e. the Holy Quran and the Prophet's Traditions. Any deviation from this would have rendered his position to danger and deprived him of the nation's loyalty and oath of allegiance.

In Omar's age the oath of allegiance system was replaced by another pattern derived from the experience of the nation, i.e. election of the head of state and the head of the government. Before his

67 Al-Ghazali, Reply to the Batinia, p. 65, The Imamate and Politics, p. 16.

death the first caliph considered that to have the nation avoid the dangers of division he consulted the companions of the Prophet on making Omar the caliph. They commended him for this and as it were they elected Omar. Public opinion and the senior companions and commanders were never in isolation or absent from the oath of allegiance given to Omar.

During Omar's caliphate six years passed over the new pattern of electing the head of state through the shoura council. 68 The shoura council represented the "state council". Omar was elected by the shoura council and received consensus in the oath of allegiance. The concept of shoura was further strengthened during the era of Imam Ali as he addressed the people saying, "This is your matter and no one has any right to it except the one you command". 69

After all this it can be said that the head of state among the Arabs was a political institution that held supreme administration power. Arab traditions and the Islamic spirit have gathered upon the success of the experience and its basis is "the principle of consensus" 70 and this consensus rests on the principle and system of the oath of allegiance.

The presidency was "placed for the succession of the prophethood in protecting the religion and the policy of the world" as defined by Al-Mawardi. 71 However, the manner of election differs. In the caliphate of Al-Siddiq it was direct. In Omar's caliphate it was nomination and a pledge. In Othman's caliphate it was election preceded by election by the representatives of public opinion in Al-Madina. In the caliphate of Ali Al-Madina gave consensus to the oath of allegiance and it was then followed by the other countries and territories.

2.2.2 Democratic practices in the election by the "shoura council" of the president of the state "the caliph".

Omar is considered to be the first one who transformed shoura into a "shoura council" that undertakes selection of the caliph from among the six companions of the Prophet, as they were the leaders of public opinion. Omar addressed them saying, "If I look and find you leaders of people and commanders then this matter shall not be except

68 Cohen, History of the Arab and Islamic Nations, p. 23.

69 The Imamate and Politics, p. 48.

70 Al-Mawardi, Sultanic Orders, p. 50.

71 Ibid, p. 5.

among you". Ali was the chief of Bani Hashem, Othman the shaikh of Bani Ummaya, Abdulrahman and Saad among the personages of Bani Zahra and Talha a chief of Bani Tameem.

Omar gave Ali and Othman a special and distinct status among the shoura people. He called them separately and said to Ali, "If you are the overseer of peoples' affairs in anything then do not place Bani Abdul Muttaleb on the peoples' necks". He told Othman, "If you are the overseer of peoples' matters in any thing then do not place Bani Ommayya upon the peoples' necks".

When Abdul Rahman relinquished his right of nomination to select another he began to review public opinion trends. He used to roam the city at night asking and consulting. He did not leave a single emigrant or Ansar and other weak persons without asking and consulting them. He did not find any one whom he asked without receiving the reply, "Othman or Ali". 72

Ibn Owf's opinion was that a condition be placed for whosoever is a nominee for the caliphate. At first he placed his opinion before Ali. He said to him, "Allah is with us and upon you and if you are allotted this matter proceed by the Book of Allah, the Traditions of the Prophet and the traditions of Abu Bakr and Othman". Ali's reply was, "I proceed with you on Allah's Book and the Traditions of His Prophet to the extent possible". When the text of the condition was shown to Othman he approved it and was therefore given the oath of allegiance as the caliph.

2.2.3 Powers of the head of state

It is clear to us that the Arabs after the death of their Prophet created a new system for the administration of the affairs of their state by selecting the head of state "the caliph" resting themselves on the fundamentals of shoura (consultation). The election of the head of state takes place within a constitutional system bound by shoura 73 followed by the oath of allegiance, 74 first the special and then the common oath of allegiance.

The oath of allegiance is a pattern of election by which the caliph receives the consent of the nation and consensus upon him. The presidency is fundamentally based on the principle of consensus. Even

72 The Imamate and Politics, vol. 10, p. 29.

73 Arnold, Islamic Knowledge Division, vol. 8, p. 420.

74 Al-Mawardi, Sultan's Orders, p. 5.

though the manner of election was not in a single formulation during the oath of allegiance given to the first four caliphs owing to the different circumstances, yet it did not depart from the principle of shoura.

The powers of the caliph were very extensive. He is the sultan of Allah on His earth. 75 Even though the caliph bears the responsibility of his post and the decisions taken by him, yet he was always in contact with the senior companions of the Prophet. 76 This was a consultation that was not restricted in its scope to the higher policy of the state and administration of the affairs of the country. It sometimes included the simplest of matters, such as a decision on what should suffice as salary for the head of the state! The Holy Quran and the Prophet's Traditions limit his powers. He may exert his intellectual powers within this context to ensure the interests of the nation and conduct the state machine. This statement does not mean that the Arabs instituted a despotic system based on the individual. Indeed, they instituted a political system of a popular nature resting on divine sharia. 77 It is run by an elected person who is bound in his powers and is aided by a great organ of administration employees, such as emirs, governors and judges.

2.2.4 Advisor of the head of state

During the orthodox age the caliph had to obey the law and submit to it just like any other member of the nation. The law had a great status and had a certain degree of sovereignty out of the consideration that it gave expression to public opinion, which represents Almighty Allah. However, the caliph was not legally bound before any person or temporal establishment. At that time there were no restrictions to hold him accountable or punish him if he erred or deviated.

Omar bin Al-Khattab says, "Almighty Allah has made me your ruler and I have learnt that which is best among you and I ask Allah to help me and inspire me to do justice by you". 78

The fact is that the strong caliphs like Omar, for example, were able to exercise great personal influence in rule. However, at the same time, they consulted some of the elite people most of the time especially when dealing with dangerous matters that touched upon the interests of the state. This was an attempt to avoid error and also

75 Ibn Abdul Hakam, Conquest and News of Egypt, p. 167.

76 Explanation of the Course of Eloquence, vol. 9, p. 97.

77 Ibid, vol. 4, p. 167, Zakar, History of the Arabs and Islam. P. 65.

78 Arnold, The Caliphate, p. 16

not to appear as despotic. 79 At other times they would accept it verbatim 80 or amend it without reference to the advisor 81 and bear the responsibility of the decision, as the responsibility is solely that of the caliph.

2.3 Administration of the affairs of the conquered countries

What did the Muslims impose upon the inhabitants of the conquered lands and what are the rights that were given to them? The residents of the Arabian Peninsula had all embraced Islam and consequently no poll tax was taken from them. As for the other nations they were allowed to retain the freedom of their holding their religious rituals, except those that harms the Muslims in the populated areas.

Those nations had to pay the tax, which differed with the difference of persons and the difference in the nature of irrigating the land. The Muslims perceived in the payment of the tax by them an admission of the higher sovereignty of the Islamic nation. Against that, they retained what they owned of property and the Arabs settled outside their properties. However, they reserved for themselves the funds of the absentees in addition to the properties of the state that devolved to them. The residents of these countries had the duty to show loyalty and sincerity to the conquerors, especially during the periods of war when they had to shelter the Muslims, provide them with information and refrain from disclosing information to the enemy. In such a way the local administration organs continued to administer the affairs of people.

It was a habit of the Bedouins in old times to divide the booty between the fighting individuals in a direct manner according to their special mentality. This habit meant the impossibility of establishing a public system and founding a state. To Omar bin Al-Khattab and his governors goes the virtue of convincing the Bedouin that the booty 82

79 Even so, the Caliph Omar consulted the Companions when he wanted to build the diwan and determine the cost of that (Al-Tabari, vol. 4, p. 209) and when he imposed the poll tax upon the fire worshippers (Ibn Sallam, The Funds, vol. 2, p. 31).

80 Omar used to sit in the mosque to consider the cases of litigants. If they came he would say to his servant, "Go and call Ali" and to the other he would say, "Go and call Talha and several Companions of the Prophet. Once the litigants completed their statements he would say, "Give me your opinion". If they said with what he agreed he would approve it". (News of the Judges, vol. 1, p. 22).

81 Abu Bakr consulted the Companions of the Prophet on the right stand to take against those who had reverted to their old religious practices and then adopted his decision. (Al-Yaqoobi's History, vol. 2, p. 22).

82 Claude Cohen, History of the Arab and Islamic Nations, p. 22; Dr. Al-Arabi, Administration, p. 136; Dr. Al-Anbari, History of the Arab State, p. 456.

should be in the interests of the nation as a whole and for the subsequent generations, which will necessitate the payment of taxes. This had been the practice of the previous Sassanid and Roman states, which used such booty for expenditure on the group. The most important of such expenditure at the time were the salaries of the soldiers, and indeed the incentives given to the soldiers in addition to what they gain of booty.

On the basis of that they began registering the names of the soldiers and the names of those who enjoy a venerable status in Islamic society. This was done in a "diwan" (register) in which the list of beneficiaries was prepared and what was spent on them of amounts as incentives. Its value was not estimated on what they proffer of military service only but also on the basis of status and social standing of the beneficiary.

The Arabs during the orthodox age (11 – 41 AH) naturally could not mix with the people nor settle among them. As such they settle in their camps. Even so, we can distinguish between two cases: -

Σ In the first case – as in Syria – the Arabs settled in cities that were established before their arrival and near to the local residents. The province was full of people and civilized and there was no other solution, even if the Arabs preferred to stay in the Bedouin lands and the coasts. 83

Σ In other cases they encamped in the Arab coasts of the great rivers that they built. Then these camps became the first nucleus of the great town ("cities") which were free of other nations than themselves or in which they were the predominant element despite the residents that came there in a rapid manner.

This statement since Omar's caliphate applied to Basra and Koofa in Iraq and Al-Fustat in Egypt. From these bases were to be launched the campaigns in later ages. The military forces camped in Syria – from a very early time – were distributed administratively and financially into four military zones that were not very much different from the Byzantine states or provinces.

It is only obvious that the Arabs should manage their own affairs and those of the population with them. They were concerned with "war

83 Atlas of Islamic Civilization, p. 221.

and prayers". They established places of worship "the mosques" according to the building style that was still very simple. The captain was concerned with army, while the "readers" were encouraging religious zeal and reciting Quranic verses among the people. The caliph remained just like another man who was not shielded off from his subjects. He settled in the prophet's city (the urban center of the caliphate). This resulted in great administrative autonomy, which the "emirs" enjoyed in the cities despite the strict control of the caliph.

2.3.1 The Regions 84

The Islamic Arab State was divided in the orthodox age into seven regions representing the major administration centers. They were similar to provinces, even though they were a bit larger. Omar is reported to have said, "Do not make between you and me a sea; indeed make them regions". By this he meant make there "bounds" (regions). It is said that Omar built the regions.

Omar divided the state into seven regions. This was in the year 20 AH. These were Al-Madina, Al-Sham, Al-Fustant, the Peninsula, Al-Koofa, Al-Basra and Bahrain. As these were the main administration regions Othman sent them his famous Scripture. 85

2.3.2 The Soldiery

Al-Sham was one of seven regions. However, its situation was greatly different in that it had to face the Byzantine threat continuously. The danger of a Roman counter-attack imposed upon the Arabs in Syria that they should be in a strong and stable position to the utmost degree possible. The firm administration system that Omar imposed distributed the households and land among all Muslims. He divided the region into four military zones and asked that a suitable number of soldiery from among the sons of the tribes that had strong relations of kinship among them settle there. They were the ones who bore the responsibility for defending the zones and the region as a whole. The administration decision adapts to the requirements of the military situation when the nation is in confrontation with the enemy.

84 The word "misr" is of Yemeni origin. In the Yemen they say I have sold you the land with its "misr" or bounds (Al-Fairoozabadi, *The Complete Dictionary*, vol. 2, p. 134). Theologians say about each land that has bounds, in which an emir resides and collects taxes that it is a "misr", *Lexicon of the Arabs*, vol. 5, p. 178; Al-Zamakhshiri, *Fundamentals of Eloquence*, p. 596.

85 Abu Daood, *The Scriptures*, p. 34.

2.3.3 Administration of the affairs of the regions

I have already explained that supreme sovereignty in Islam for Almighty Allah Who entrusted the Holy Prophet with the guidance of the people and administer their affairs. The Arab rulers "the caliphs" had all the powers of the Holy Prophet with the exception of prophethood. The caliph in the Arab State exercises the powers of the "caliph of the Holy Prophet"). He is the head of the political society and the holder of the reins of the state and administration affairs. However, owing to the extensive nature of the Arab State and the difficulty of communications he was unable to render this duty by himself, especially in places those were distant from the metropolis "the capital".⁸⁶

The caliphs acted to appoint "emirs" and some of the senior employees of the state to undertake administration tasks in the regions. They were under their supervision and accountable to them. Sometimes, they were dismissed and their funds and property expropriated.⁸⁷

The implementation of the law and supervision over administration affairs in the regions became the task of the "emir", who enjoyed quasi independence in the occupation of his post. However, he remained responsible to the caliph and acted in his name. The objections that were raised against an emir used to be submitted to the caliph who used to listen to such complaints personally or send investigators to consider and verify the correctness of the information.⁸⁸ He could call the emir to ascertain the correctness of the information received about him. The powers of the caliph in this respect were absolute.⁸⁹

One of Omar's traditions was calling the governors to perform the pilgrimage every year. In this way he would hold them aloof from the subjects and would have time to listen to the complaints of the subjects. This was a policy of unofficial communications channels.

The caliph alone had the right to select the governors of the

⁸⁶ Omar realized that it would be difficult for him to know the news of the state as it had extended. He said, "I know that people have needs that are cut off from me. As for their governors they do not send this to me. I will proceed to Al-Sham and stay there for two months; then I shall proceed to the Peninsula and stay there for two months. Then I shall proceed to Bahrain, Al-Koofa and Basra. By Allah, such are the conditions". Al-Tabari, vol. 5, p. 202.

⁸⁷ Omar never felt quite satisfied with the emirs of provinces (Al-Tabari, vol. 5, p. 204).

⁸⁸ Iraq's residents raised complaints against their governors to Omar. Among these was a complaint against Ammar bin Yasser (Al-Tabari, vol. 4, p. 56) and Egypt's complaint against Amr bin Al-Aas.

⁸⁹ Al-Tabari, vol. 6, p. 163.

regions. 90 He was the one who appointed them and dismissed any one he saw unfit for his post.⁹¹ They remain responsible for their work, subject to him and act in his name ⁹² and disobedience or rebellion is considered directed against the head of the state.

Thus, the emir had a special standing out of the consideration that he represents the caliph whose distinctive position in regard to people in the state was recognized by all. Furthermore, it was the caliph who cared for the public interest of society as a whole. He did not represent the narrow interests of a tribe or family. Added to that was the sense that he maintained a balance between the clans and determined the rights and obligations of various persons and tribes. The emir was not a mere adjudicator between people as he had a higher authority as in all regions he used to "order and be obeyed". ⁹³ In addition to that, the emir was responsible for public administration in the region and all the counties, districts, villages and rural areas. His domain was extensive and he enjoyed legislative powers to which all were bound.

In addition to what we have mentioned some emirs had extensive wealth and great funds at their disposal. ⁹⁴ This aided them in expanding their influence, granted them personal strength in addition to their official one. We should not forget that he to whosoever he wished and in any amount gave (the central treasury), the house of livelihood, the incentive house and the grant house, the "house of funds". ⁹⁵ It became an administrative custom and political course that whosoever disobeyed the emir had "Allah's wrath upon him" ⁹⁶ and deserved punishment. There was no greater disaster than that the emir should call for someone ⁹⁷ or that someone should shelter an individual fleeing from the authorities and its rule as put his life at stake. ⁹⁸

The emir used to exercise his administrative responsibilities at his official residence of the government known as the "house of the emi-

90 Al-Tabari, vol. 6, p. 163.

91 Ibid, vol. 3, p. 64.

93 The governors of the provinces were commonly known as the "emirs of provinces" or "governors of provinces", Abu Yusef, *The Kharaj*, p. 14. Al-Tabari, vol. 3, p. 100. As for the towns and cities they had the "governors of cities". Al-Ali, *Basra's Organizations*, p. 106. Al-Tabari mentions that Omar visited Al-Sham and dismissed Sharahbeel from the coastal region. Sharahbeel asked him, "Have you out of disgust dismissed me. Emir of the faithful?" Omar replied, "No, you are as I have loved you. But I need a stronger man". (Al-Tabari, vol. 3, p. 64).

94 *Atlas of Islamic Civilization*, p. 225.

95 Wakea, *News of the Judges*, vol. 2, p. 308.

96 I will consider this subject in *Administration Monitoring*.

97 *The Unique Covenant*, vol. 1, p. 305.

98 Ibid, vol. 6, p. 198.

rate", which was adjacent to his palace and nearby the mosque. Such a house is mentioned as present in Egypt, 99 Iraq, 100 the Yemen, 101 and Al-Madina. Yazeed bin Almahab was told, "Why don't you build a house?" His reply was, "My house is the "house of the emirate" or the prison". 102

2.4 Administrative organ of the state "the hierarchy".

In all frankness the Arabs were builders of states and administrators who confronted extremely complex internal and international conditions. They were able to contain and then surpass them and move towards building their own administration systems. They created in an innovative manner the administrations special to their needs.

Innovation depends on the scope of what we call "organized riding" or "creative destruction". If a person is to arrive at a new and better thing he has to set aside the old and that which time has passed. This is what the Arab administration carried out in the Middle Ages and it is affirmed by administration literature in the modern age.

In the administration of regions the governors faced really great and complex difficulties. To impose their domination over them they enlisted the help of a large number of employees whose salaries were paid by the state. The Arab administration transformed the job into an administration profession. Reality affirms that the number of administration employees continued to increase rapidly with the expansion of administration affairs and the work of the government.

2.4.1 The Judge

1. The caliph – head of the state.	The premises were in Al-Madina.
1. Governors of the seven regions.	Their premises were the houses of the emirate in all regions. Spread in all the provinces.
3. District employees	
4. Administration employees.	<ul style="list-style-type: none"> ● House of finance official. ● The judiciary officials ● Tax official. ● Prison official. ● Police official. ● Mail official "inspects every one".

A brief study of the administration organ, its structure and employees will be studied.

99 Ibid, vol. 5, p. 359.

100 Al-Tabari, vol. 6, p.120.

101 Yaqoot, Lexicon of countries, vol. 2, p. 422.

102 Al-Kindi, Governors and Judges, p. 36.

No employee of the state shared with the emir his powers with the exception of the qadhi (judge). The judge had judicial power and judged among people just as the caliph and the emir. He shared the power of rule with them in the differences that would appear on laws. However, it was the caliph and the emirs who generally considered all that related to public order. 104 As for the qadhis (judges) they considered cases that were related to personal matters and market dealings. This is confirmed by the information provided by Wakea. 105

The judicial authority in the regions was between two poles – the emir and the qadhi. But we should not forget that the qadhi's appointment and dismissal was the responsibility of the emir. The emirs appointed the judges⁴ and that is why the judges were called the "emir's qadhis". 106 The first qadhi in Islam was Shuraih and he was appointed by Omar to be the judge of Al-Koofa.

2.4.2 The Police Official

The police were mentioned during the caliphate of Ali in the city of Al-Koofa. 107 The emir enlisted them to control security affairs and pursue thieves, in addition to fighting alongside the army during military campaigns. 108 Each of the policemen received a salary of ten dinars per month. 109 The prison was subordinated to the police official and during Omar's age it was made up of reeds. 110

2.4.3 Market Official

This post appeared during Omar's caliphate. 111 He was the one who appointed Alsayeb bin Yazeed governor of the Al-Madina market.⁵ As for the regions the matter of appointment was among the powers of the emir as the market official is one of his employees. The

103 Al-Tabari's History, Events of the year 17 AH, vol. 4, p. 45.

104 Public law: A set of fundamentals that organize links to which the state is a party. This includes organization of the state's relations to individuals by determining the state system and its powers. It also determines the administration of public utilities in the state and the ensuring of public security in it. (Al-Sanhouri, Fundamentals of Law, p. 208).

105 News of the Judges, vol. 2, p. 35.

106 Al-Zubairi, Lineage of Quraish, p. 84, History of Baghdad, vol. 14, p. 503.

107 News of the Judges, vol. 3, p. 20.

108 Al-Tabari, vol. 2, p. 159. 109 Ibid, vol. 5, p. 48, Al-Yaqoobi, vol. 2, p. 231.

110 Lexicon of the Arabs, vol. 7, p. 330, Tester Schtein, Islamic Knowledge Division, vol. 13, p. 193. 111 Al-Siyooti, History of the Caliphs, p. 237.

function of the market official was to control sale and purchase transactions and arbitrate in the differences that may ensue among members of the profession. He may also exercise his authority to control the manipulations of the money exchangers. 112

2.4.4 Eyes of the emir "intelligence"

The intelligence organ has an important status in Arab administration. The employees of the organ were from various tribes who knew what was happening in the country and no one knew them. 113 Their direct link was to the emir and he was the one who distributed responsibilities between them and determined the tasks and obligations required of them. That is why it was said, "The governor sees that which is absent through the eyes of the men of news". 114 The eye is the one who is sent to sense the news. 115 The emirs to monitor the movements of the opposition forces and the powers hostile to the state enlisted them. 116

2.5 Employees of the Clans Affairs Department

Once the Arab clans had accomplished most of the conquest tasks and settled in the regions, the arrangement of their conditions became one of the greatest chronic Arab administration problems and for many long years. The successful and capable emir was the one who could control their affairs and dominate over them. To realize this purpose posts especially for the clans were created in the Arab administration. Among these were: -

2.5.1 Clan monitor

The clan monitor was the one concerned with their matters. Usually, he was the one of the chiefs who knew the policy of his people. He was lower than the chief was and the emir mostly knew from him their conditions. 118 He was the eye of the emir on the clan and the monitors were the link between the government and the clans. They replaced the shaikhs of the clans. They alone were entrusted with

112 Ibn Sallam, The Funds, p. 523, Ibn Hajr, Correct knowledge of the Companions, vol. 2, p. 334.

113 Al-Baladiri, Conquest of countries, p. 568.

114 Al-Shafie, The Mother, vol. 4, p. 405.

115 Al-Baladiri, Conquest of countries, p. 569.

116 Ibn Sallam, The Funds, p. 523, Ibn Hajr, Right knowledge of the Companions, vol. 2, p. 334.

118 Basha. The Middle History, p. 114.

preparation of the clan individuals for military service. 119

2.5.2 The Clan Flanks

Little information is cited by the sources on these and they are described as being "heads of the monitors". 120

2.5.2 Captain of the clan

Captaincy is an administrative post just like the monitors and the flanks. Our information about it is very little, although it is mentioned in the Language of the Arabs. The captain is just like monitor over the people. He supervises over them and ascertains their conditions. However, it is agreed that the administration post is related to the affairs of the clans. 121

2.6 The Financial Affairs Department

Financial affairs in the Arab State depend on the land tax. It was decided to establish a special office to be known as the "land tax diwan". It was the most important diwan in the Arab administration as it was responsible for organizing the finances of the state. Owing to the gravity of the responsibility the supervisory post was assigned to the emirs and to some of the senior finance employees. 122

The land tax diwans remained in the same condition in the regions. They were written in foreign languages. Indeed, the Arab administration even kept the non-Arab employees during an age "when the Arabs still preferred the sword to the pen". 123

In addition to the land tax diwan there was the tenders and grants diwan written in the Arabic language. Omar had ordered it to be written, organized and the grants distributed as "financial incentive" to all the fighters, in addition to the personages. 124

Omar distributed the incentive funds according to the priorities. The family of the Holy Prophet headed the list. After that came the com-

119 Conquest and News of Egypt, p. 200.

120 Al-Tabari, vol. 3, p. 95.

121 Ibid, vol. 6, p. 21.

123 Al-Sabbani, The Ministers, p. 27.

124 Al-Tanoofi, The minutes, vol. 5, p. 57, Ibn Fallakan, vol. 3, p. 99.

panions of the Prophet for their seniority in Islam and so on until the list reached the women and children, and even the non-Arab former slaves who had embraced Islam since an early time. 125

2.6.1 Grants incentives

Omar allocated for the first warriors preference of grants, which used to distribute annually. The amounts were delivered to their houses. 126 The caliph might sometimes increase the grant to those who showed excellence in the army or the administration. The highest level of the grant was 2,500 dirhims and the minimal level was 200 dirhims. This was similar to the minimal level of living standards at that time. The honor derived from the grant was for those who served the state in a manner that found satisfaction with the officials. 127

2.6.2 Employees of the House of Sustenance

Omar was the first one to impose the sustenance grants, which he distributed among people each month. 128 This covered women, men, emirs and the former slaves. 129 Its primary content was food and cereals in particular 130 according to the need of the individual for monthly sustenance. The food was warehoused in the "House of Sustenance" and distributed by employees assigned this task. 131

Al-Baladiri preserves an interesting story on the manner in which Omar determined the sustenance of a single family. "He ordered a sack of wheat flour and doughed and baked it. Then he called for oil. He then invited thirty men to eat their meal from it. Then he made the same for supper and said, "A man should be satisfied with two sacks each month". He used to assign two sacks each month as sustenance for the people. 132

2.6.3 Salaries of administration employees

125 Ibid, vol. 2, p. 15.

126 Al-Jahshiari, Ministers and Scribes, p. 172.

127 The Minutes, p. 182, 128 Al-Fakhri, p. 151.

129 See the details in Al-Mawardi, Sultan's Orders, p. 30, Ibn Khaldun, The Introduction, p. 280, Al-Kazrooni, Fundamentals of the Abbassid State, p. 30.

130 History of Al-Khateeb Al-Baghdadi, vol. 1, p. 120.

131 Al-Mawardi is considered to be the best writer on the comptroller and his powers, aids and employees of his department, See Sultan's Orders, p. 180 and Ibn Khaldun in his Introduction.

132 See the writings on the Islamic Arab city by Oleg Grabar in chapter six "Art and Architecture" in his book, The Heritage of Islam, vol.1, p. 350. It has extensive information about the city, its architecture and administration.

During the orthodox age the job became an administration profession and the employees had monthly salaries. As for the salaries of emirs there were additional higher allocations. 133 Police and the heads of the financial diwans followed them. If a person held more than one post his salaries were paid in full from the house of finance. The emir could encourage his employees by granting them bonuses. He also sometimes gave the favored ones valuable prizes that would satisfy their needs for many years. 134

2.7 Central Treasury and its financial resources - "Muslims House of Finance".

During the orthodox age uncountable millions of various financial resources amassed in the state treasury ("house of finance"). We should not forget that these were resources from the cities and provinces of the Sassanid and Byzantine empires. That is why Omar ordered that a financial institution on which the state depends for its revenues and expenditure should be established. A number of financial affairs employees undertook the task. From among these we mention: -

- Finance House Storekeeper who held in his hands the keys of the central treasury. 135
- Finance House Scribes whose function was to register the accounts⁶ and some of them stayed on the job until night and worked by the light of candles owing to the numerous accounts. 136
- Guards of the House of Finance.

2.7.1 Financial resources of the central treasury¹³⁷

1. The zakat and charity funds and the employee who collected the zakat and charity funds were called the "charity official".
2. The funds of conciliation contracts with the cities. There were scores of cities that concluded "conciliation contracts" with the Arabs for large sums.
3. Booty which was divided in a precise manner as prescribed by the Holy Quran: 1. Allah, 2. The Prophet, 3. Relations, orphans, the poor and the destitute and 4. The soldiers who gained such booty.
4. Spoil is a term that denotes the funds, which the Muslims gained

without fighting. It is essentially that "which Allah and His Prophet gained as spoils from the people of the villages". It is divided into five parts. The first part is for the Holy Prophet, relations, orphans, the poor and the destitute and the last part is for the purpose determined by the state.

5. Poll tax, which is derived from the word "reward" and it means the tax upon non-Muslims for the security given to them for their property and blood that remains safe by paying the poll tax.
6. Land tax, which is the tax imposed by Islam during Omar's caliphate on cultivable land.
7. Clear land, which is the land of Persian kings. Ma'wiya made such land his exclusive property.
8. The tenth, which is the tax taken from non-Muslim merchants and is valued according to the value of the goods.

2.8 Administration Monitoring

It is natural that when such large financial resources from the various Islamic regions poured massively into the finance houses in the various regions of the state that there should be an extremely vigilant administration monitoring. Great wealth may and does corrupt some emirs. This monitoring was carried out by the following means: -

2.8.1 Public opinion monitoring

Public opinion in Islam and especially in the various regions was extremely stern, especially that imposed on the governors of various provinces, as relates to wealth. Omar encouraged the growth of such public opinion when he told the people, "O people, I do not dispatch governors over you to set aside your consultation nor to take your funds. I send them to you to teach you your religion and the Traditions of your Prophet. If some one should do otherwise submit that to me..."

Information on the great wealth of the senior governors was sent to Omar. He called them and investigated the matter with them. Among these were Abu Huraira, governor of Bahrain, Amr bin Al-Aas, Abdulla bin Amer, Ziyad bin Abeeh. Towards such great wealth Omar legislated the "division of governors' wealth" by taking from them half of their wealth and depositing it in the house of finance (central treasury). 138

The contacts of the caliphs with people and their knowledge of what was happening in the regions and provinces was either through the delegations of the regions to Al-Madina or the pilgrimage season. The caliph used to meet with the prestigious and the common people. He would not leave any small or large thing in the region without raising questions about it. 139

In addition to public opinion there were the eyes of the caliph submitting reports to him on what was happening in the various regions and provinces. Indeed, Saad bin Abi Waqqas was astonished reading Omar's orders and directives on the war as if he knew the smallest thing. Then it became apparent to Saad that Omar was receiving information from his men in the army. These were sending reports only to the caliph, as they were his "eyes". 140

139) Al-Anbari, History of the Arab State, p. 469.

139) Al-Tabari, vol. 3, p. 120

2.9 Integration of the administration

The greatest international development during the Middle Ages was the appearance of the Arab Islamic State on the world arena. It was a great power that issued wise decisions and pioneered integration. It integrated all the Islamic countries in the Asian and African continents in addition to Armenia. The state and its administration had in them the following integration elements: -

2.9.1 The Islamic Religion

Islam transformed all peoples, nations and tribes into a single nation and replaced many of the various old ideas and creeds. Thus, it was the most important and comprehensive element of integration. Its effect spread to all parts of the known world covering valleys, cities, plains and mountains making all people equal. 141

2.9.2 Unity of the Supreme Central Authority

The state was built on a single general principle. This was making the word of Allah and the orientation of its administration supreme. It was a supreme central authority dominating over the whole state. This supreme authority rested in the hands of the caliph who was practically assisted by men he selected for the purposes of consultation, command and administration. All caliphs were from among the sons of Quraish known for their experience in the administration of public affairs and their broader view of matters. Around the caliph were also the companions of the Holy Prophet who had accompanied and aided the Holy Prophet in establishing the State of Islam. They were instilled by the ideas of Islam, which call for a higher perception that rises above personal interests.

2.9.3 The Arabic Language

The Arabic language is the language of the Holy Quern and all rituals in Islam. It is the language of the nation from which the Holy

140) Ibiid, vol. 3, p. 276.

141) Atlas of Islamic Civilization, p. 279.

companions of the Holy Prophet and the commanders appeared. It is the language of those who fought for and was martyred in defense of Islam. Thanks to the poetic nature and the wisdom involved the Arabic language was the storehouse of ancient Arab intellect. The Arabs drew from this storehouse what they choose. They were proud of their language, just as the non-Arabs were. Thus, it was the strongest element of integration of intellect, administration and politics.

2.9.4 The Principle of Freedom :

The Arabs are in love with freedom. When they embraced Islam their holding on to freedom became greater. This freedom aided the emergence of numerous cultural trends and intellectual activity. Movement in the lands of Islam became greater for people and as time passed integration ideas and systems made their appearance.

It can be said that such organizations whose foundations were firmly established during the age of the Holy Prophet and the orthodox caliphs were not the complete framework of public administration theory in the Islamic Arab State. The theory was complemented and completed during the Abbassid era in 132 AH – 656 AH when the matters of state were more settled. Those holding power had more time to wrestle with the task of building a strong and cohesive administration that brought together the various parts of the empire through a very strong administrative linkage.

3. Results of the research :

This study has brought to the surface a set of important results, which I summarize in the following: -

1. The theory of public administration in the Islamic Arab State made its appearance in the age of the holy Prophet and the orthodox caliphs in a simple but very lively manner making growth and development possible.
2. The simplicity of these organizations in the age of the Holy Prophet was complemented and matured during the age of the orthodox caliphs.
3. As the Islamic Arab State inherited many provinces and emirates from the Sassanid and Byzantine empires it comprehended and con-

tained the non-Arab organizations within the various administration establishments. It was as if it had arabized them.

4. Administration developments bore fruit in the form of a lively theory of public administration that met the needs of the state and society and responded to its problems and life.

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Public Administration in the Islamic Arab State

TOPIC TWO

Practical Applications

During the

Ommayyad and Abbassid Eras

● *Methodological Introduction of the Research*

It is known that public administration is not merely theoretical ideas and theses only. It is the practical and actual application of the theory in the realm of reality, its organizations, institutions and methods of administering peoples' affairs and needs. This takes place under a state that care for all that and controls and monitors the administration machine as a whole. This case took place in a clear manner in public administration of the Islamic Arab state in the Ommayyad (41 – 132 AH) and the Abbassid eras (132 – 656 AH). This is the time frame of the research. As for the place scope it covers all the borders of the Omayyad and Abbassid states.

For this purpose the research has relied upon numerous historical sources of the Ommayyad and Abbassid states. One may well ask why the historical sources and not the administration ones? The answer is very easy, clear and simple. The historical sources, like Al-Tabari's History and Ibn Al-Atheer's History contain in their numerous volumes all the administration decisions by which the state organized public administration.

From here dependence was on them as well as on Al-Masoodi in Golden Prairies, Al-Yaqobi's History and Al-Baladiri's Conquest of countries.

However, this historical aspect did not forget the sources that dealt with administration institutions in the Ommayyad and Abbassid states, especially the Sultanic Orders of Al-Mawardi, the Introduction of Ibn Khaldoon and the Encyclopedia of Countries of Yaqoot Al-Hamawi.

- *The Research Plan*

For the purposes of having this extensive research contain all that it was imperative that the political entity of the Ommayyad and Abbassid states should be considered. It is impossible to separate public administration from politics, leave alone the nature of the political system directing the state's administration and utilities.

The research also undertook study of the effect of the expansion of the Ommayyad State on the public administration applications and the patterns of organization it created between the center "the capi-

tal" and the peripheries.

This case during the Ommayyad era developed, matured and was completed in the Abbassid era. The Abbassid era is only a natural extension of the Ommayyad era. However, it had a strong tendency for administration centralism, which was apparent in the public administration institutions that have been clearly arranged in the details of this research.

- Methodological of the Research

In its methodology the research has pursued a comparative course for the applications of public administration in the Ommayyad and Abbassid eras with clear historic and administration sources. The developments that took place in public administration of the Abbassid era was an event emanating from the very nature of Arab life and the needs of the state and was totally distant from foreign influences, be these Persian or Byzantine.

- Difficulties of the Research

The difficulties of such a research are in a primary manner limited to too much information distributed among many sources. The administration directives and organizations are not mentioned in an independent part or chapter and are not mentioned in one place. Reference is made to them during the caliphate of each caliph separately that does not show the nature of this development on this organization or that.

The study of the ministry institution and its effect upon public administration imposes upon the researcher that he should study this institution in the life of each of the caliphs and then link its circles by a precise thread or link to know the course of its development.

Some colleagues in my faculty ask why this concentration on the Islamic history books and not administration books? I gratefully reply to them with this remark. Islamic history books are the sole original sources for the subjects of public administration, its institutions and documents. These are mentioned in numerous books on the era of each of the caliphs. As for Arab administration books during this peri-

od these are restricted to two only: The Sultanic Orders of Al-Mawardi and The Introduction of Ibn Khaldun and we have relied heavily upon them.

1. Public administration in the Islamic Arab State During the Omayyad age 41 - 132 AH

I know that Mawwiya was the educator of states, politician of nations and shepherd of kingdoms who innovated in the state many things not touched upon by others before him. He was the first to create an entourage for kings and placed spears in their hands. He placed a cabin the mosque in which the king or caliph used to pray separately from the people. This was out of fear of what had happened to Ali. Thus, he prayed alone in the cabin and whenever he fell prostrate, the guards remained standing over him with their sword. He was also the first one to create the mail to have news reach him speedily.

1.1 Political of the Omayyad State

Ma'wiya ibn Abi Sufian became caliph in 41 AH and his sons and the members of the Almarawinia family succeeded him. The Omayyads transferred the metropolis of the caliphate to Damascus in the country of Al-Sham. Ever since Ma'wiya succeeded to the caliphate it became restricted to the Omayyad family. No one was allowed to become caliph except one of them. This restriction was a new manifestation and development, which made Ibn Khaldun consider that the caliphate had become a monarchy. It had been transformed from its international religious nature to a limited scope monarchy.

Succession to the caliphate met strong resistance, especially in Hijaz. The people of Hijaz were inclined to follow consultation and Ibn Alzubair called for shura or consultation.

If Hijaz had accepted the shura trend, Damascus remained entranced with "succession" 1 as it was "the house of rule and the ca-

1- Al-Masoodi, Golden Pastures, vol. 3, p. 190, Al-siyooti, Jalal Aldeen Abdulrahman, History of the Caliphs (Cairo, 1952), 1st edition, p. 199, verified by Muhiuddin Abdulhameed.

2 - Al-Yaqobi's History, vol. 3, p. 341, Al-Tabari, vol. 5, p. 503, and compare this with Al-Baladiri, Lineage of the Nobles (Beirut, 1974), p. 223 verified by Shaikh Muhammad Baqer Al-Mahmoodi.

liphs". 2 It is true that Damascus and most of the country of Al-Sham, with the exception of Jordan, had given the oath of allegiance to Ibn Al-Zubair (3), yet this oath of allegiance was because of a political arena vacuum in Al-Sham where there was no strong Ommayyad personality around whom the remaining forces could gather. When this force, represented by Marwan ibn Al-Hakam (died in 65 AH) appeared it drove before it all obstacles and imposed its presence and authority. Events followed rapidly after the oath of allegiance given to Marwan bin Al-Hakam. Then, Abdulmalek bin Marwan took over the caliphate and he was successful in eliminating all opposition movements with the exception of the "khawarij". In this endeavor Abdulmalek was successful in using brave commanders and the most stern of these was Alhajjaj who was made governor of Iraq where he reigned as a very much-feared despot. (4)

The political entity of the Ommayyad State remained cohesive until the year 100 AH. However, the factors of internal weakness were stronger despite the attempts of Omar bin Abdulaziz (99 – 101AH) to stop the speed of deterioration. This matter aided Bani Hashem, the Alawis and the Abbassids to lead a clandestine organized opposition that declared revolution from Khurasan. It marched until its armies reached Baghdad in 132 AH and defeated the last of the Bani Ommayyad caliphs, Marwan bin Muhammad in the famous Battle of Al-zab.

1.2 Expansion of the administration in the Ommayyad era

Ibn Al-Taqafta mentions, "The Ommayyad caliphate had expanded and become much greater. Its status became greater and its territories expanded". (5) This expansion included many fronts, especially the sea. The Ommayyads were successful in imposing Arab sovereignty on Cyprus in 60 AH (6), Rhodes, (7) in 52 AH, Crete (8) and Arwad. (9) They also succeeded in attacking Sicily (10) and made firmer their positions in Armenia. (11)

3- Golden Pastures, vol. 3, p. 93.

4-Al-Tabari, vol. 5, p. 222.

5-Al-Fakhrit in "Sultan's Characters", p. 26.

6-Al-Bladiri, Conquest of Countries, vol. 2, p. 279. Dunlop, Encyclopedia of Islamic Knowledge, vol. 6 p. 281.

7- Al-Baladiri, vol. 2, p. 279, Encyclopedia of Islam, vol. 6, p. 281/

8- Dunlop, Encyclopedia of Islamic Knowledge, vol. 6, p. 281.

9-Arwad, near to the Marmara Sea, Brockleman, History of the Islamic Nations, p. 62.

10- Dr. Aldorti, Altaqi, Sicily, p. 21.

11- Sterk, Encyclopedia of Islamic Knowledge, vol. 3, p. 67. Farrookh, Omar, History of the Emergence of Islam and the Ommayyad State, 6th edition, (Beirut, 1983) p. 226.

The Arab commander, Aqba' bin Nafa', played an extra-ordinary military role in liberating Al-Maghreb Al-Arabi (northern Africa) starting with Tunisia. Nearby it he built Qairwan City to be the military base of his rule. However, the Romans and their Berber allies stopped Aqba's march and then conspired against his life in 63AH. (12)

Moosa bin Nusair continued his advance in northern Africa and reached Qairwan in 85 AH. He completed the liberation of the whole of North Africa and Qairwan became an administration center from which the affairs of northern Africa were managed. (13)

Several attempts took place since Ma'wiy'a caliphate to conquer Constantinople but they failed. However, this failure was soon transformed into an overwhelming military triumph by the conquest of Andalusia (Spain) in the year 92 AH.

From Europe armies marched to Sind in India and the hero of this conquest was Muhammad bin Al-Qassem Al-Thaqafi. Then the armies marched towards the land beyond the river and entered it. Soon they were extending their power up to the borders of China. Qutaiba bin Muslim Al-Bahili was the hero of these conquests as it was he who penetrated Asia until he reached near the borders of China. (14)

The Arab State expanded to its utmost bounds during the Omayyad era. This vast expansion could have confused the greatest administration leaderships in the world. However and owing to the political tolerance, flexibility of stands and freedom of thought that marked the Arabs were able to make these nations surround around them and grant them loyalty and allegiance to their rule. They were able to gain the Roman properties in North Africa, those of the Goths in Andalusia, those of the Turks in Asia and the lands beyond the river in addition to the land of Sind in India.

The administration question here is highly complex. This vast state was in dire need of a cohesive and strong administration organ that

12- History of Africa, p. 69.

13- History of Africa, p. 69.

14 - Al-Tabari, vol. 6, p. 501, Events of the year 96 AH, Ibn Al-Atheer, The Complete Works, vol. 4, p. 135. Qutaiba reached China up to the borders of Kashfer, the base of Turkistan; Abdulla bin Muslim, The Imamate and Politics, (Beirut in Latin), verified by Dr. Taha Muhammad Alzunaibi, p. 49.

could absorb all this diversity of administrative life of these countries. It had also to absorb the diverse customs of the peoples, their traditions and the patterns of their lives.

The Arabs faced genuine difficulties in conquering these lands in the first place. Then they had to face numerous difficulties in the administration of their financial affairs. Finally, they had to establish political stability in these new lands.

The matter was not at all simple, especially in the lands beyond the River Jabhoon. These lands were a group of emirates and statelets and each had its emir and special administration, like the emirates of Takharistan, Saghaniyan, Al-Safd, Samarkand, Fira'na, Ashroosna, Alshash, Bajharis, Tarmid, and Kashgar. All of these lands were heavily populated dwelling in cities and villages with a high population density. Their inhabitants were many diverse nations: Turks, Safads, Hayatla and Dailam. Their religions also were diverse: idol worshippers like the Manwiya, Zoroastrians and Buddhists. (15)

1.3 Integration of Arab administration in all lands:

Here the importance of leadership and adoption of difficult decisions becomes apparent. A decision must be taken after comprehending the circumstances and selecting one of the many options available. The decision that must be taken by the Arab administration did not concern a factory or even one of the countries. Indeed, the decision touched upon an extensive empire in which and during history a variety of systems of rule and administration had prevailed. Furthermore, customs, traditions, common law, creeds, schisms, languages and currencies of various types had existed for various periods of time. As such, the decision had to embrace all this diversity and place it within an integrated system that covers all countries of the Arab Empire. It must be a decision that takes into account all of the various local administrations patterns. Their very diversity made the matter of placing them within a single integrated system and uniting them through a single language, a single administration registers system, a single central authority and one tax system covering all a formidable task. (16)

15- Al-Anbari, History of the Arab State, p. 404 and onwards.

16- Dominique, Islamic Civilization, p. 42.

The diwans (administration registers of the state) in the regions were left as they were written in foreign languages. The same was applied to the local administration units and institutions. The Arab State left cosmopolitan centers and the conquered cities with their previous administration and systems. Indeed, it went as far as retaining their non-Arab employees. (17) If any thing, this signifies far sightedness and patience in tackling administration affairs.

However, the Arabs after having completed their military glory they devoted themselves to the greater challenge in the administration sphere. They Arabized all diwans, held on to the single Arab currency and gradually made all the foreign non-Arab employees learn Arabic and use it in their work,

In this way, the Arabs were transformed from the simplicity but rugged Bedouins into civilized persons. They had moved from the simplicity of illiteracy to the wider knowledge of writing. (18)

The administration measures adopted by Abdulmalek aimed at spreading the banner of Arabism and Islam in a much more widely manner than had happened during Ma'wiya's era. Abdulmalek considered the official language of administration and found the state organs in the hands of Christians and Zoroastrians. The presence of these administrators would not be eliminated except after a long period of time. Yet, their lord wanted to know how they managed administration affairs.

Naturally, all matters that faced the Ommayyad administration could not tackled during the era of a single caliph. Thus, the development of administration institutions continued throughout the eras of the caliphs who shouldered the burdens of the head of state after Abdulmalek bin Marwan. This is what we intend to deal with in the following pages.

17- Al-Mawardi, Sultanic Orders, p. 202.

18- Ibn Khaldoon, The Introduction, p. 432.

1.4 Coordination and organization between the decision center (the capital) and the peripheries (the regions).

The Ommayyad leadership realized new dynamics in administration through coordination between information and accountability and the exploitation of human relations or "human resources." Despite the presence of a central leadership in Damascus the

following leadership in the hierarchy of power leaderships in the regions pursued a series of administrative measures, which were bound strongly, although the central power and leadership remained in place monitoring what, was happening afar continuously. This leadership succeeded in granting those leaderships the ability to maneuver, which granted them a greater degree of flexibility. It is a fact that this administration policy required means of communication and information between the "capital" (the decision-making center) and the "regions" which was the actual field of implementation.

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The emergence of an Arab State in the Middle Ages created an economy for the world always absorbing continuous change that continued for a period of more than 200 years. This created an integrated market and an integrated Islamic economy. This change soon and in a rapid manner covered the neighboring states that had to coexist with this New World.

The steps to Arabize the currency, administration registers and replace the old administration cadres were a golden opportunity before the Ommayyad administration to act with new dynamics. These were dynamics that knew everything in the financial organ. The new currency penetrated the whole world in less than a century and effected

a comprehensive change in the life and aspirations of people. This makes us assume that there was confidence in information that can penetrate any place. "Information" meant a new type of administration (19) that moves in every place and disseminates its effects every where.

We may well ask is there a link between public administration in the Omayyad era and modern administration that Draker speaks of? I simply reiterate the French saying "It's the same wine but in different bottles". I further repeat what Draker said: "The journey is a long one but the course is interesting and exciting. Those who will continue the march will receive a profound appreciation of the heritage from which the managers of today derive what they need. They will have a better knowledge of the beginnings and will realize how petty is that amount of administration, which is really new. They will realize where possibly can these ideas of administration take us. I am not one of those who believe that there is nothing new under the sun. But it will be completely clear to us that much of what is presented as new and immediate and correct is merely an extension of the ideas that were developed during a different time and place. Much of what is correct is not new and much of what is said is not new. We have to be careful and we have to be objective in our evaluation of every thing of this". (20)

Then we find Duncan stating that what we have inherited from the great forbears is much greater than what has been created by crystallization and surpasses all that, as our heritage and values are the ones that make continuous progress a possible matter. (21)

We all realize that Duncan means by what our forebears left for us is that which the Greeks and Romans left. However, why don't we study and review that which was left by our forebears in public administration at a time when they administered an empire, which was much bigger and greater than both the Greek and Roman empires?

Deep study of Islamic Arab history and the Omayyad era thereof makes us realize the greatness of the administration edifice of the Omayyad government. It was the one which from Damascus directed all these regions and provinces. Let us consider that leadership and let us begin with the "administration registers".

19- Draker, Administration for the future, p. 499.

20 - Duncan, Great Ideas in Administration, p. 22.

21- Duncan, Great Ideas in Administration, p. 312.

The diwans establishment created a category of specialist employees that were similar to a perpetually closed social class while the caliphs and emirs were always changing. They recorded in detail all that related to the accounts and finance of the state according to technical fundamentals not known except to those scribes. This in itself enabled them to monopolize the post and dominate over the financial and accounting affairs of the state.

These scribes and their registers became "the spirit of Arab administration" and the energy by which the state machine is run to control revenues and expenditures together. Owing to this status they rose in the hierarchy of the administration ladder of the Ommayyad government up to the rank of minister. The scribe during the Ommayyad era was parallel to a minister during the Abbassid era and played a primary role in public administration.

1.5 The divans (the administration organ of the government)

Diwan Al-Kharaj (the land tax office)

The most important office of the state, if not the most important of all offices, was the land tax office. It was responsible for organizing the finance of the state derived from the land tax. Owing to the very importance of this office the responsibility of supervision over it was assigned to emirs. (22)

The Seal diwan

Ma'wiya inherited from the Byzantine an administration capable of life and development in Al-Sham (Syria). He succeeded with great talent in transforming its establishments and institutions to an administration organ of the empire. The task was neither simple nor were there enough appropriately trained Arabs to receive the posts of the complex organ. Even so, the attempt proceeded successfully and on the same fundamentals that were adopted by Abdulmalek bin Marwan.

Within the context of this policy Ma'wiya established the Seal Diwan, (23) and he was the first to adopt it. (24) It was supervised over by an official who used to copy the orders and directives of the

22- Conquest and News of Egypt, p. 86.

23- Al-Fakhri, p. 107.

24 -Al-Jahshiyari, The Ministry and the Scribes, p. 15.

caliph and deposit them in this office. If the caliph signed one of the orders that signature was brought to the office, its copy established in it and then it was wrapped and sealed with red wax and the Seal of the head of the office. (25)

● *Charity diwan*

This diwan supervised over the zakat funds and their distribution among the beneficiaries according to the precepts of the sharia (legal ruling). (26)

● *The brand diwan*

This diwan undertook supervision over the factories of the state concerned with weaving the clothes of the various administrative establishments.

● *The correspondence diwan*

This was one of the very important diwans of the state for its administration. It was concerned with the matters of correspondence (27). It undertook supervision over the correspondence exchanged between the head of the state in Damascus and the emirs and governors in the provinces. The person responsible for this diwan was usually a member of the ruling family owing to the gravity of its secrets and the dangerous material it held. (28)

In fact the task of this diwan was administrative control. The official of the diwan or one of his employees may undertake the task of administrative investigation or inspection in any one of the cities. An example of this is Bukhari in Central Asia who audited all accounts and would not submit his report except to the caliph.

The caliph might call any one of the governors to Damascus. He had to accompany with him some of the personages of the province. He would ask about the governor and these personages would freely express their opinion. The caliph would comment on that by saying "hear what your subjects think of you". (29)

The Ommayyad central and decentralized administration had

25- Al-Fakhri, p. 107.

26- Al-Jahshiari, p. 38.

27- Al-Jahshiari, p. 38.

28- Ibn Khaldoun, The Introduction, p. 436.

29- Conquest and News of Egypt, p. 86.

to resolve a grave problem. It related to centralism of the communications and information channel between the head of state in Damascus and Al-Hajjaj in Al-Koofa and the decentralization that he had granted to Al-Hajjaj, emir of Basra, and the various other governors whom he appointed to govern the various provinces, regions and cities.

These were mostly from among the residents of the conquered countries and they were the ones who were most knowledge about the affairs of their residents. As such, the Arab administration gave them freedom of movement and dealing with developments to achieve administration and political stability. Even so, these were at times held accountable directly before the caliph through an administration court known as "the court of injustices".

1.6 The Court of injustices:

Some historians call it the "administration court" or the "state council". (30) It is one of the greatest accomplishments of the Arab administration to hear the complaints and injustices against people.

In Islamic sharia Allah does not do injustice to any one as He says in the Holy Quran: "Allah does no do injustice to the weight of one grain". (31) However, people do injustice to each other. The government as such has created a law to judge by it among people and has appointed a group of employees to apply the law and judge in the disputes of people according to the provisions of such law. These were the caliph, the minister, the emir, the judge and the police official. However, the question remains what is to be done if injustice befalls people? To whom should they complain? Who removes the injustice that has befallen people?

In Arab history an administration institution appeared to meet this need. It appeared, grew and was completed in the orthodox and Omayyad eras. It used to consider the complains of the masses against the administration officials of the state and even the head of the state himself, or any member of his family or those close to him and those who fell under his protection. (32) Information confirms that the Imam Ali is the one who gave it his full consideration. He or-

30- Schacht. An Introduction to Islamic Law, p. 220/

31- See the Indexed Glossary of the words of the Holy Quran, p. 620.

32- Al-Tabari, vol. 7, p. 38 "Events of the year 106 AH", Al-Mawardi, Sultan Orders. He is the best one who studied this court, p. 75 and onwards.

dered the building of a room with iron windows where the complainants threw their complaints through the window. He used to enter it by himself at night to read the complaints and pass his judgement thereon. (33) However, he did not appoint a day to consider these applications because he just could not do it. (34)

During the Ommayyad era and since Ma'wiya's caliphate the government was active in considering needs and complaints of people. Ma'wiya's logos, when considering such injustices was "Do justice by them". (35) He used the mail to carry peoples' correspondence to him to read it himself and he appointed an employee especially for the clans. He used to go around in their councils and register their needs, demands and complaints against employees and then submit these to the caliph. (36)

As for Abdulmalek bin Marwan he appointed a special day of the week when he sat in the council of injustices. He would read the petitions and hear the concerns and complaints of the people against the administration of his employees in the army camps of Al-Sham and Iraq and issue his immediate judgement. (37) If the matter confused him, he would refer it to a competent judge sharing his council, in addition to a group of scholars and theologians.

We are confident that work at such an institution "court of injustices" continued throughout the Ommayyad era. It gained great momentum during the caliphate of Omar bin Abdul Aziz who, "devoted himself to injustices and did justice by people taking into consideration the just legislation. (38) He poured his greatest wrath on the injustices of his family and returned to the people all that they had taken of funds or property or land. (39) He used to repeat to himself, "I am greatly afraid when Allah holds me accountable". The strange thing is that he gave the complainants the travel costs from their places of abode to their arrival in Damascus. (40)

Some people used to wait the pilgrimage season to present their complaints to the caliph nearby the house of Allah. We have more than one story showing that some obstructed the caliph while

33- Al-Maqdiri, The Plans. Vol. 2, p. 257, Al-Khateeb, History of Baghdad, vol. 9, p. 309.

34- Al-Jahedh, Correspondence of Al-Jahedh, vol. 2, p. 120.

35- Golden Gardens, vol. 2, p. 25. 36- History of Abi Zara'a Aldimishqi, p. 102.

37- Ibn Khaldoon's Introduction, p. 108, The Plans, vol. 2, p. 257.

Ibn Khaldoon's Introduction, p. 108, The Plans, vol. 2, p. 257.

38- Al-Nuwairi, End of Literature, vol. 6, p. 269.

40- History of Abi Zara'a Aldimishqi, p. 130.

he was on his way to the pilgrimage. They used to say to him, "I ask you in the name of Allah and the sanctity of this House and this country whose greatness you have come out for that you remove the injustice from me". The caliph would reply, "What injustice?" The reply may be, "My house has been confiscated". (41) The caliph would scribe a brief margin such as "Return his house to him". The decision would be immediately carried out without any procrastination or postponement.

1.7 Public administration services in the Islamic City :

Islam is the religion of Al-Madina. It originated in Mecca and was organized as a state in Yathreb. Cities appeared at the beginning as military sites and then developed into urban or commercial cities. The cities were divided into planned zones and each tribe used to live in its particular zone.

Basra City is the first city in Islam. It was planned by Otba bin Ghazwan in the year (42) AH at the orders of caliph Omar bin Al-Khattab. He first built the mosque and then the house of the emirate. He then ordered the planning of the city. Each zone had a mosque, a market and a cemetery.

People began building their houses with clay and lime until the city expanded. Water lanes were laid out for it from Shatt Al-Arab and after fifty years it had a population of 200,000 Arabs and 100,000 non-Arabs. It had become a commercial, intellectual and military center.

The city of Waset was built to be in the middle between Basra and Koofa and that in the year 83 AH on the two banks of the River Tigris. In the beginning Al-Hajjaj established his mosque and green dome palace.

Ar-Rasafa was built by Hisham bin Abdulmalek (105 – 125 AH). The desert sites for which he gave a lot of care enchanted him. The city was located in the desert at a distance of (43) km to the south of Al-Riqqa on the Euphrates. He renewed its walls and build-

41- Al-Tabari, vol. 7, p. 38. Compare this with Ibn Qutaiba, The Imamate and Politics, p. 100.

42- The construction covered the cities of Halwan, Hims, Akka, Damascus, Saida, Arfa, Jubail, Beirut, Ladikiya, Jibla, Antarsoos, Mara'sh, Siochia, Salmia. See Al-Baladiri, Conquest of countries, p. 40 and onwards. This manifestation challenges what Ibn Khaldun wrote about Islamic cities in his special chapter in which he states "If the Arabs come to a city it is soon destroyed". (The Introduction, p. 220).

43- Al-Baladiri, Conquest of countries, p. 170.

ings and used to visit it often.

Qairwan was built in 50 AH and was established by Aqba bin Nafa' as a fortified city and a center for his military operations in North Africa. It had a line at the back for his soldiers facing the attacks of the Romans and their Berber allies. It is near to the city of Tunis at present and work on it continued for five years (50 – 54 AH).

The Arab administration faced the problem of the Roman destruction of cities in a continuous manner. Al-Baladiri has preserved for us a long list and much information about the cities that were destroyed. The Ommayyads rebuilt and repopulated them. Soldiers were posted at their military posts to protect them from the enemy. (42)

New cities were established for people and soldiers to reside in. We mention out of them Al-Ramlah in Palestine, (43) Al-Mahfoodha (44) and Al-Mahroosa (45) in India, (46) Shiraz in Turstan, (47) Alrasafa in Al-Sham, (48) and Mosul in Iraq. (49) If the cost of Wasert alone amounted to 43 million dirhims one can well ask what were the costs of building the other cities?

I have no wish to write about Islamic architecture and the most famous cities. However, I do wish to refer to the services provided by the Arab administration of the Islamic cities, as the basis of administration is services.

● *Supervision over the markets :*

The expansion of the scope of administration during the Ommayyad era had the effect that economic life prospered. Trade was active and work opportunities for people increased. Craft makers increased and markets expanded to meet the needs and purchases of people.

It was imperative that the state should supervise over the markets as vital utilities related to peoples living and earnings. This was done through the post of "market governor". (50) He undertook the task of supervision over the life of the market and the work of crafts

44- Al-Baladiri, p. 543. 45- Ibid., p. 543. 46-Ibid, p. 543.

47- Ibn Hoqal. View of the Earth, p. 246. 48-Al-Baladiri, p. 222.

49- Al-Baladiri, p. 406. See also Glubb, Paget, The Great Arab Conquests, (Beirut in Latin), Arabized and reviewed by Khairi Hamada, p. 346.

50- Al-Shafie, The Mother, vol. 4, p. 405, Wakie', News of Judges, vol. 1, p. 353.

and craftsmen. He controlled weights and the work of the exchangers. He supervised over the nature and methods of work in the manufacture of foodstuffs to prevent cheating. (51) He also had the authority to adjudicate in differences that ensure among craftsmen. (52)

The emir of the province was the one who appointed the market governor. The post itself became known as "governorship of the market". (53)

● *House of livelihood (price subsidies)*

By this is meant the large building, which used to be constructed to warehouse grain. This grain was distributed monthly to the fighters, their families and other people. Its history dates back to the era of caliph Omar. However, Ziyad bin Abeeih built a very large building for this purpose and appointed an official to supervise over it. Part of his responsibilities was to supervise over the receipt of the grain and organize its monthly distribution and other related works. Such economic establishments were established in all provinces

● *Drinking water* (54) :

The local administration "the municipalities" undertook distribution of drinking water to the residents through the wells. In Persia water was distributed from tanks and springs. (55) The water used to be distributed freely.

● *Baths :*

In Arab cities there was a bath for men and another for women. (56) The baths were placed under government supervision. If any one desired to build a public bath he had to obtain government approval. (57)

51- Ibn Al-Ikhwa, Landmarks of the village in the rules of the body, p. 143.

52- Ibid, p. 30. 53- News of the Judges, vol. 15, p. 353.

54- See Al-Maqdisi, The best divisions, p. 320 and onwards.

55- Yaqoot, Lexicon of the countries, vol. 4, p. 150.

56- About Egypt's baths see Al-Mawdiri, The Plans, vol. 2, p. 120. Conquest and news of Egypt, p. 82. The profits of one bath in Basra were 1,000 dirhims per day. For Tabaria's baths refer to Precious Necklaces, p. 327.

57- Conquest of countries, p. 434.

● *The Kuttabs:*

The kuttabs (mosque schools) spread with the spread of mosques. Their task was to educate children in reading and writing. They were under the supervision of the "governor of the market". (58)

● *Hotels and rest-houses*

These were spread on the external roads to serve travelers and merchants. They used to store their commodities there and concluded their transactions in them.

● *Guest houses*

In some cities there were "guest houses" for those coming into the city from afar. Omar ordered their construction. (59) As for Othman bin Affan he placed houses at the disposal of the guests. (60) Omar bin Abdul Aziz did the same thing. (61)

1.8 Provincial and local administration :

Most of the provinces that were annexed to the new state were previously either Sassanian or Byzantine. Each of them had various systems and varied administration practices that had become established since a long time. This had been achieved through many experiences. In each of them there were numerous communities with their local customs and traditions. They used to run their affairs according to these, as they were the most appropriate to their conditions and interests.

Some of these cities and parts of the provinces were annexed by the Islamic state according to treaties and conventions concluded by the Muslim commanders. (62) In this way they were guaranteed rights and agreed to conditions that were applied to them.

58- Conquest of countries, p. 583.

59- The conciliation is concluded by the commander of the army. However, a slave concluded Shahriyaj City's conciliation. He wrote them the pledge and dispatched it to them through an arrow. When the Arabs wanted to wage war they cried out, "This is your pledge". Some soldiers refused to accept it as it had been written by a slave. They referred the matter to Omar who replied, "The Muslim slave is from among the Muslims and his pledge is like yours. Carry out the pledge". Conquest of countries, vol. 3, p. 481.

60- Conquest of countries, p. 297.

61- Ibid, p. 299. 62- Conquest of countries, p. 400.

We have a long list of conciliation conventions with the residents of Al-Heera, Banqia, the Anbar, Ramhormuz, Sajtan, Egypt, Tunisia, Al-Ahwaz, Al-Khazr, Azerbaijan, (63) Taberistan, (64) Kabul, (65) Karman, (66) Marwo, (67) Taflees, (68) and Jarjan. (69)

These conciliation treaties with some cities and provinces imposed rights and obligations. But there were other cities that were conquered forcibly at sword point. The commanders had an absolute right to impose any amounts they wished. It is definite that the amounts imposed were much greater than what was imposed on the previously mentioned cities and provinces that concluded conciliation with the Arabs.

Conditions and circumstances determined the administrative and financial system applied by the Arabs during the orthodox and Om-mayyad caliphates. It was also determined by the actual financial capabilities of the conquered country. Very often the Muslims applied some amendments to the financial and administration measures in this country or that to be appropriate to the conditions and living standards of the residents. These funds constituted one of "the bounties of Allah that cannot be covered by a number". (70) There was much money that flowed to the Arabs when they used to sleep under the shade of their swords.

Public interest required keeping the administrative systems and practices that were in force after they had been established in the wake of long experience over extensive time. The people had already accepted them and become used to them as these organized their lives and ensured stability and prosperity for them.

The caliphs were concerned with general supervision and guidance and did not get involved in the endless minutest details of the administration of such cities and provinces. The central administra-

63- Ibid, p. 402.

64- Ibid, p. 414.

65- Ibid, p. 489.

66- Al-Yaqoobi, History of Countries, p. 286.

68- Conquest of countries, p. 238.

69- Ibid, p. 213.

70- This expression is by Omar who called upon the Muslims to continue the jihad for Allah's favor and bounty upon them. Al-Tabari, vol. 4, p. 217. I have mentioned the conciliation treaties with the cities, which the Arabs entered peacefully. Others that were entered by force paid very large amounts that constituted one of the financial tributaries of the central treasury. There were other tributaries such as charity funds (see Schacht, vol. 10, p. 356) and bounty. The governors of Al-Waleed bin Abdulmalek wrote to him that the treasury houses had been strained by the fund of the fifth. He wrote back to them saying, "Build mosques". (Conquest of Egypt, p. 132). Then there were the funds of penalty and the land tax. (Al-Anbari, History of the Arab State, p. 50).

tion was kept. But the conquered provinces and cities (by conciliation or force) were allowed to proceed with their previous administration systems so long as these did not affect the security of the state and did not violate the precepts of Islam and its sovereignty. Financial collection matters and the coinage remained in the hands of non-Arabs who continued with their old customs. They used their alien tongues in the finance and collection diwans until these were arabized during Abdulmlek bin Marwan's caliphate. This made the Arabic language spread in the administration. It became the language of administration. However, the aliens continued to work in the diwans, kept their old culture and practiced their old practices in work. The residents of the cities and members of society continued to act according to their customs and systems in their private dealings.

The fact is that leaving local administration in the hands of those who knew it was of immense benefit to Arab administration. It aided the central authorities in getting rid of many of the problems and differences with the residents of the conquered countries. Such local problems and differences as arose between the cities and those running them were attributed to people from the residents of the country who had to deal with them by themselves. (71)

One of the most apparent manifestations of the Arabs keeping the old organizations without primary change is their retention of the administrative divisions and their names without change worthy of mention. For example, In Iraq the old divisions remained and the same happened with the Arabs themselves.

The retention of these administrative divisions leads us to conclude that Arab administration's men left the details of administration and administrative posts in the centers that had not been populated by Arabs in the hands of local employees. However, they reserved for themselves the right of supervision and change. It is an extensive right theoretically; but we very much doubt that they used in an extensive manner.

The collection of taxes in Al-Madina and every administrative center was the function of financial employees. The collection of taxes in the countryside of that center was left to local employees most

71- Dr. Al-Ali, Studies in administration, p. 155, Bernard, Louis, Politics and war, Chapter from of the book "The Heritage of Islam, vol. 1, p. 229. It is one of the most enjoyable books written on Arab policy in administration and in politics and war.

of who were employed from the local area itself. This assisted the retention of these areas prosperous and alleviated the burden of the central government. It also strengthened authority in the countryside and the city. However, it kept the metropolis isolated from the provinces and these enjoyed a degree of self-rule.

Finally, in this research I wish to refer to the work of the supervisors of the Arab administration and their diwans. To a primary degree it was concentrated on practical application in reality. Administrative practice is not the concern of theoretical research. Therefore, realism remained the clear characteristic of Islamic administration. Knowledge of this required study of such administrative practices and their various news in history books that scribed what had really taken place on the land and its people.

We do not agree with Claude Cohen that Ommayyad rule in the peripheries "continuously remained of light impact and shabby administration according the local provincial governors the enjoyment of a large degree of self rule (72) in support and affirmation of the civil establishments". (73)

72- History of the Arabs and Islamic Nations, p. 44.

73- Ibid, p. 45.

Public administration in the Islamic Arab State

Practical applications during the
Abbassid era

(132 AH – 656 AH)

2.1 Political entity of the Abbassids :

Ibn Altaqtaqa describes the Abbassid state and says: "As for the Abbassid peoples' obedience to it did not amount to that which was gained by this state even though its period lasted for more than five hundred years. Its domain expanded to the extent that some say it covered most of the earth. As for the first of its rulers they chose the virtuous part of the earth and their strength was immense like Al-Mansoor, Al-Mahdi, Al-Rasheed, Al-Ma'moon, Al-Mua'tasim, Al-Wathiq, Al-Mutawakkel and Al-Mua'tamid. Even so, their state was not devoid of weakness and debility from many quarters. Among these are the Roman entrenchment and the flaring up of war between them and their Christian kings every year. One of the causes of the debility befalling their state is the coming out of the "khawarej" at every time with the caliph until the subjects could not sleep in safety in their houses. The residents were at all times expecting schism and war. As for the last ones of the Abbassid caliphs they were extremely weak to the extent that they could not take Takrit.

The kings of the peripheries, such as the kings of Al-Sham, Egypt and Mosul they used to carry to them something as a gift and would ask of them that they be given the governorship of their country. In this way they dominated over their subjects and forced upon them obedience. The caliphs in these lands did not have more than the name and the sermon.

I here will summarize the political entity of the Abbassid State by referring to the fact that it was declared in the year 132 AH in Koo-fa. There the people gave the oath of allegiance to Aba Al-Abbass the "butcher", who was the first caliph of the Abbassids. They considered the caliphate to be the "presidency of the state" and they believe that it was the bequeath of "our Prophet" and that "justice had returned to the house of the Prophet". (74)

The religious aspect of the caliphate was strengthened as the Abbassid caliph was not the ruler of the state only, but also the representative of the sharia and applied it under the title of Imam. Al-Mansoor, who established the state, controlled the kingdom and arranged for the administration fundamentals in it was the most clear and frank caliph as far as the policy of the new state was concerned. He declared, "As for myself I am the sultan of Allah on his earth and I gov-

74- Al-dainoori, The Long News", p. 381.

ern you with His guidance and power and I am the trustee of His property and I do according to His will". (75)

As was the case with the Ommayyad era the Abbassid caliphate revoked the principle of shoura and applied the principle of inheritance of rule. In this way it made null and void the right of the nation to elect the caliph. The nation was left only to give the pledge of allegiance and obedience. Thus, they paved the way before the weakening of the caliphate itself and allowed alien forces (Persians, Turks, Dailams, and Seljuks) to impose their domination over the matters of the state and the administration.

The weakness began in the caliphate of Al-Mu'atasim who moved from Baghdad to the new metropolis of Samarra along with his Turkish soldiers. From this date began the domination of the Turkish soldiers, especially during the time of the Emir of the emirs (324 AH – 334 AH), who pledged to pay the salaries of the employees against the domination of the state and its administration affairs.

Throughout the Buwaihi and Dailmi periods (334 AH – 447 AH) the caliphate was under the direct domination of the dailam. The caliphs dared not to go out of their circle of influence. Administration deteriorated until the purchase of posts became an easy and acceptable method. The Buwaihi's domination over the higher policy of the state was reached through the official authorization of the caliph himself. The caliph Al-Taye' in 369 AH gave the Bailami emir the whole structure of the state. His authorization read, "What Allah mandated to me of the affairs of the subjects in the east and west of earth and arrange for their administration in all quarters I authorize the emir to do them".(76)

When the "Bani Buwaih State" declined there appeared the Seljuks. They were Persians who came from near the Caspian Sea. Others were Turks who came from Turkistan. The Seljuks dominated over the Abbassid caliphate for a long period of time (447 AH – 590 AH). All political and administrative matters were in their hands and they did whatever they chose.

Even though the Abbassid caliphate tried to rise at the hands of some strong caliphs such as Nasr Lideen Allah (575 AH – 635 AH), yet these attempts were not quite satisfactory. A new Bedouin

75- Ibn Al-Atheer, Complete Works, vol. 4, p. 326.

76- Al-Masoodi, Golden Plains, vol. 3, p. 324.

force had appeared and laid waste to all, including the Abbassid caliphate. The Moguls were this force, who ended the Abbassid caliphate and its political entity in the year 656 AH. (77)

2.2 Public administration in the Abbassid era:

I wish to clarify that public administration during the Abbassid caliphate moved through various phases of strength and weakness. This is a natural thing as administration is the political product of the government in the field of public administration. If the political entity weakens administration institutions also weaken, as they are the fruit and product of the government. This is the first point. As for the second point is that if we shorten and speedily review the political entity of the Abbassid caliphate we find that its rule was spread over more than 500 years during which various alien powers influenced it. It nearly made its very existence disappear had it not been for the religious prestige of the Abbassid caliphate. That is why they said, "Prestige preserves order and protects the kingdom". (78)

Weakness seeped into the Abbassid caliphate when it was at the peak of strength. This was because Andalusia was severed from the Abbassid caliphate and once again subjected to the authority of the Ommayyads. Then came the role of the Aghalibs (in Tunisia), the Idrisis (in Morocco). Then came the statelets of the east in Persia (the Tahirids) and then the Safrids and the Samanians and the Ghaznaween. This disintegration increased the weakness of the Abbassid caliphate. However, it took an administration formulation within the general framework of Abbassid administration. So let us consider some of its specifics.

2.2.1 Centralism in Abbassid administration

It is clear to us, as it was clear to the Abbassids that it is difficult to preserve the unity and political entity of the state in the face of strong and hostile powers. This matter made the Abbassids move speedily towards central administration to preserve to the extent possible a cohesive political structure. As such there appeared the post of minister as a first manifestation of this central orientation of the Abbassid administration.

77- The moguls came from Mongolia and invaded Khawarizm, Iran and Iraq. They then stopped in Al-Sham where they were repulsed in the Ain Galoot Battle (Cohen, p. 266).

78- Al-Fakhri, p. 23.

● The Ministry:

The ministry system in the Arab State appeared in a clear and organized manner during the Abbassid era. Before that date such a post did not exist. Al-Fakhri states, "The ministry's foundations were not prepared except by the Bani Al-Abbas state. Before that the post was neither regulated by fundamentals not prescribed by law. Each of the kings had a retinue of followers. If any thing occurred he would consult those known for their wise opinions and correct ideas. Thus, each of them was akin to a minister. When Bani Al-Abbas held sway over the kingdom the laws of the ministries were prescribed and the person so selected was called a minister. Before that he used to be called a scribe or advisor". (79)

The first minister of Bani Al-Abbas was Hafs bin Sulaiman Abu Salma Al-Khallal. He exercised his responsibilities with extensive powers granted to him by his very strong position in the administrations of the Abbassid call. The diwans were all under his supervision and the correspondence was issued from him and to him.

During Al-Mahdi's caliphate (158 AH – 169 AH) the state witnessed a period of political and administrative stability. During this period the overall domination and its greatness appeared. In this time the competence and abilities of the ministers were most apparent. There was Ma'wiya bin Yasser whose statements were never refused by the caliph and he is he one who organized the finances of the state and its diwans and prescribed the administration fundamentals of the domain. (80)

We do not wish to go into the details of the powers of the minister. However, stories state that whosoever was assigned the ministry by the caliph was as if "matters had been assigned to him". (81) If he was assigned to be a minister he was authorized to deal with all matters and the diwans were subjected to him and he was given precedence over all other people. (82)

79- Al-Fakhri, p. 153. The linguists state that the "wizr" is the resort and "the educated". Thus, the word minister is derived either from "wizr" with the meaning of bearing a burden or has the sense of being the one to whom there is resort for his views and measures.

80- Al-Fakhri, p. 182.

81- Al-Fakhri, p. 184. We find the details of the powers of the minister in Al-Mawardi, Sultanic Orders, p. 80.

82- Al-Fakhri, p. 84, Ibid, p. 80.

Whosoever was assigned the ministry was called "minister of state". (83) Sometimes, he was deputed by the "vice-minister" (84) or the "deputy minister". (85) It was supposed that such a person should be a "clever writer and a competent accountant" (86) "with experience in leadership and the fundamentals of solutions to be able to shoulder the burdens of the ministry". (87) The person who had experience with the diwans, accounts and dispensation of money was preferred. Sources have commended the ministry of Abi Ja'afar Ahmad Al-Anbari, the minister of Al-Mu'taz bil Allah, as being "one of the cleverest writers, fully knowledgeable of all aspects of funds be they revenues or expenditure in his mind". (88) That is why he was described as the "best of ministers" and the "senior minister".

In those days the minister in fact was assigned the post of Prime Minister and minister was the language of the age. He headed all diwans and each diwan was akin to a ministry. As for the exercise of his actual powers he had the power, influence and personality of the caliph. For example Al-Mansoor's ministers had the relationship of writers for him as Al-Mansoor "was the greatest of kings, the most firm, the most knowledgeable, of correct view, and surest measures, more virtuous than any of them and more tolerant than any one". (89)

In contrast to Al-Mansoor's personality, the caliph Al-Muqtadir ascended to the caliphate (295 AH – 330 AH) when the central treasury was with abundant funds and jewels. He "disbursed and wasted all of it in an easy manner". He spent most of his time in play and set aside the affairs of the state. He was only 13 years old and this accorded the opportunity to his minister, Ali bin Essa, to shoulder the burdens of the affairs of the state most ably.

"Ali was a virtuous, religious, honest, ascetic shaikh. I do not know of any person who became a minister for Bani Al-Abbas like Ali bin Essa. He had profound knowledge in writing and accounts. He undertook the affairs of the ministry, controlled the diwans and laid the fundamentals of work. The only thing that was held against him was interest in the minutest details that gave him no time for the matters as a whole. He used to sit from dawn till the evening to listen to injustices". (90)

83- Al-Fakhri, p. 198. Details of the powers assigned to the minister are found in Al-Mawardi, Sultanic Orders, p. 80. 84- Ibid, p. 198.

85- Ibid, p. 206.

86- Ibid, p. 226.

87- Ibid, p. 234.

88- Ibid, p. 244.

89- Ibid, p. 159.

90- Al-Fakhri, p. 268.

Ali bin Essa has a record of great works in Arab administration that was not done before him. He established a budget system for the Arab State in which he determined what was paid in to the treasury as revenue against what was expended of expenditure and services in the various spheres of administration work. (91)

Based on the foregoing we find the "mandate of authority" in Arab administration at the level of the ministry taking two distinct trends: -

1. Ministry of Investiture :

The ministry is the second authority in the hierarchy of Abbassid power after the caliph. It is the caliph who assigns such authority to one of the nominees. He deposes for the caliph in administering and supervising over the affairs of the state. It is rightly said that the one to whom administration of the affairs of the nation is assigned is not able by himself alone to administer all of them except through investiture. The investiture of a minister, who takes part in managing the affairs of the state, in fact, becomes the sole administrator. (92) Thus, the invested minister and from many aspects becomes the prime minister of our age; indeed, his powers are more extensive extending to the collection of taxes and effecting public spending. By investing the minister is meant that the head of the state has mandated to him the management of all measures according to his views and ability. He has the authority to judge and implement. He also has the authority to appoint emirs of the various provinces. He alone has the authority to manage the army and dispose of public funds. (93)

The investiture of a minister does not take place except through a legal contract. The caliph may state to the nominee for the post of minister: "I have conferred upon you in deputation" or "I have invested you with the ministry". (94)

2. Ministry of Implementation :

This ministry is undertaken by the person who deposes for the head of state for implementing matters without having an indepen-

91- See appendix (1) in which is the first budget document of the Arab state (Al-Doori, Economic History of Iraq, p. 200).

93- Ibn Khaldoun, The Introduction, p. 240. Subhi Al-Saleh, Islamic Organizations, p. 206. Al- Anbari, Studies in the history of civilizations, p. 123. 94- Ibid.

dent power. The view and decision is that of the head of the state and the minister only has to implement such orders as reach him. Thus, his consideration of matters of administration is restricted to the view of the head of the state.

I have explained that the Abbassid administration adopted a centralism orientation and mandated its powers over all diwans to one person – the minister. However, it was extremely difficult for the minister in the capital (the metropolis) to supervise over the diwans of the capital and those of the various provinces. This problem was resolved by implementing a central policy and administration in all diwans, which were held together by a single thread. Let us consider this single thread and the Abbassid centralized administration.

2.1.2. Central administration of diwans :

The emergence, expansion and influence of the Arab State accompanied the development and complementation of Arab administration and were affected by local needs. It was an institution that was not completed in any specific age. The simple administration institutions of the orthodox age became more complex in the Omayyad age and nearly complemented and mature in the Abbassid age.

The Abbassid age became the legal heir of the previous administration systems, including the diwans and administration organs related to it. The first development introduced by the Abbassids to the diwans was organization of the records of these diwans in registers instead of various documents. We have a list showing the names of the Abbassid State diwans. We mention of these:- (95)

1. Correspondence diwan.
2. Land tax diwan.
3. The Seal diwan.
4. The military diwan.
5. The expenditure diwan.
6. The needs (of people) diwan.
7. The charity diwan.

When these diwans expanded the minister had to supervise over a large number of administration employees, However, in Al-

95- Al-Yaqoobi, History of Al-Yaqoobi, vol. 3, p. 24.

96- Maskawaih, Experiences of Nations, vol. 6, p. 120.

Mahdi's caliphate (158 AH – 196 AH) a great development took place in the state's central administration. This caliph created a large diwan to supervise over a group of diwans, control their work and accounts. Thus, the finance diwan or the "kharaj diwan" was spread and worked in all provinces without any linkage to the center. For example, the Sana'a diwan had no connections with the Baghdad one. When the control diwan was established it linked all finance diwans to it. Thus, we found that there were control diwans linking the finance diwans to them and these in turn were linked to the central diwan in the capital. The caliph Al-Mahdi took another step towards centralism in 168 AH by establishing another great diwan that supervised over the control diwans or a "control over control". This organization was not limited to Baghdad. Indeed, it covered all the central provinces of the state. 96 It came to be known as the "dearest diwan" and the "diwan of diwans". It was under the supervision of the minister and all provincial diwans were linked to it.

2.2.3 Centralim orientation of the judicial administration (the post of judge of judges)

The trend towards centralism was not limited to the ministry and the diwans; indeed, it encompassed all other state authorities and government establishments including the judiciary. It is known that the Abbassid caliphs restricted the appointed of the judges of the cities to themselves. A resolution from the capital – Baghdad – made the appointment. This was part of the Abbassid administration's orientation towards centralism. We have many texts that confirm the occurrence of such a development since the era of Al-Mansoor as "the governors of provinces used to appoint the judges to the exception of the caliph until Ibn Jaafer Al-Mansoor took over and appointed them". (97)

Al-Mansoor considered the judge to be one of the four corners without whom rule is not possible. A judge "should be a man who is not afraid of blame except from Allah". The second corner was the police official who does justice by the weak against the might. The third was the official responsible for the land tax. The mail official was the one who wrote on all these correctly. (98) It was clear that Al-Mansoor wanted sufficient information on all these administrators

97- Al-Khateeb, History of Baghdad, vol. 14, p. 103, Ibn Khallakan, Deaths of the Nobles, vol.2, p. 243.

98- Al-Tartooshi, Saddles of Kings, p. 62, Ibn Al-Atheer, Complete Works, vol. 5. p. 46.

from his intelligence service. That is why the mail official or the news official used to attend the council of the judge, listen to all that went on there and submit reports to the caliph. (99)

The caliphs were not content with monitoring the one who brought them the news. So they created a new administration post to supervise over the judicial administration of the state. The holder of this post had the title of "judge of judges". (100)

The appearance of this post was a new and subsequent development to the first one that resulted in vesting the caliphs with the authority to appoint judges. It appeared during Al-Rasheed's caliphate, as he was the first to create this post. He assigned the post to great theologian Imam Abu Yousef, who was a student of Abi Hanifa, and the disseminator his school. Abu Yousef was assigned the matter of appointing and dismissing judges in all provinces of the Abbassid caliphate – from Tunis till Sana'a. (101) He had to inspect the rulings of his judges and deputies and care for their reputation among people. (102)

Joseph Schacht states that the centralism orientation of the early Abbassids was responsible for the appointment of the judges by the central government. It also led to the appearance of the post of judge of judges and established his great repute in the judicial administration. (103)

2.2 Information in the Abbassid public administration

The last Omayyad caliph was asked about the reasons behind the fall of their state. He replied, "We were cut off from news". (104) The news of the provinces were cut off from the capital –Damascus. So the state did not know of what was happening until they had to face the armies of Khurasan and in their clash with them in northern Iraq their state collapsed.

99- I will consider this subject further when I take up the question of information.

100- As for the status of the judge of judge in the judicial administration see Al-Anbari's book, "The post of judge of judges in the Abbassid state", p. 40. I am grateful to Al-Anbari for presenting me with a copy of this book.

101- Al-Tarabulsi, The Aid of Judges, p. 36.

102- Al-Anbari, The post of judge of judges in the Abbassid state, p. 110.

103- Introduction to Islamic Law, p. 100.

104- Al-Fakhri, p. 40.

If modern administration confirms that "information is anew type of administration", (105) it is definite that information moves everywhere and its impact is spread everywhere. This presents us with a new fact about knowledge being the key to every thing. Today's world is work intensive with dense raw materials and dense energy but more importantly is with dense information. (106)

The Abbassids realized the danger and importance of information in their state's administration and they gave it its due regard. The mail governors throughout the state were daily writing to Al-Mansoor during his caliphate about the price of wheat and cereals, the price of each foodstuff, the price of each thing that mattered in daily life, what the governor of the province was doing, what was being paid into the central treasury, and reporting on each event,

After evening prayers they would write to him on what they had seen. Whenever their mail arrived he would consider it. (107) If he had doubts about anyone of the governors, he would first reprimand him, then warn him and finally dismiss him and expropriate all he owned.

This network of news was an information system that covered the whole domain by roads distributed in all provinces and countries, some of them Roman and some old Persian. The roads were repaired and some new ones constructed recently. On these roads were spread the mail stations for those who transmitted news from one station to another and then the next employee would transport it to the following station until it reached the capital on mail horses. (108)

The mail runner transmitted news from the various cities to the capital. He was the sole employee who had the right to awaken the caliph from his sleep without having to give a justification to the caliph's guards for awakening the head of the state. It can be said that the emirs of a province feared no one and favored none as he did the mail runner owing to his direct contact with the caliph. If matters required that the mail runner should convey news very speedily he would use pigeons. (109)

105- Draker, Administration for the Future, p. 499.

106- Draker, Administration for the Future, p. 506. 107- Al-Tabari, vol. 8, p. 44.

108- Mail: Fresh horses were placed at several places. If the mail runner arrived speedily to one of them with a tired horse he would take a fresh one to make haste. The mail distance for a horse was twelve milers and at each place there was a fresh horse for the news to arrive speedily. (Al-Fakhri, p. 106).

109- Al-Fakhri, p. 221 and onwards.

Thus, the information network was made up of: -

- The mail runner
- The news reporter.
- The spies.

Very often the capital was surprised hearing sudden news and developments, such as the killing or deposition of emirs and the declaration of war with the Turks. It used to be said: The news has arrived by mail. No administration establishment could prevent the mail carrier from entering the capital, inspect him or reply to his questions. (110) The greatest incentive was that one of employees be offered the post of "governor of the mail". (111)

One of the governors said: "Any one of us only looks at the news that has passed him from the news men and their tasks is submission of the news. Their responsibility is greater than that of the "spies" and their tasks with the neighboring states are far greater". (112) These were of four types: -

- Bearers of news about the governors of cities.
- Bearer of news about people.
- Bearers of news about neighboring and distant kingdoms.
- Bearers of news about senior state men and the ruling family. (113)

As for the spies they became official employees during the Omayyad age, after the Roman spies had increased in Damascus. They furnished the caliphs with information of utmost importance. These rulers usually issued their immediate and speedy orders on the basis of such information. If asked about the source of their information their reply usually was "My eyes came and informed me" or "My eyes came today and talked to me", (114)

All of these played a role in the selection and nomination of the senior state employees through collecting adequate information on them and their status. All were comprised by the "diwan of secrets".

2.4. The administrative judiciary "court of injustices"

During the Abbassid age the caliphs directly granted this es-

110 Al-Jahshiri, p. 120, Al-Fakhri, p. 224.

112 Ibn Hoqal, View of the Earth, p. 111, Lexicon of Countries, vol. 2, p. 468.

113 Ibn Banateh, Selection of books on measures of states, vol. 2, p. 180.

114 The Unique Contract, vol. 1, p. 14, Al-Tabari, vol. 6, p. 261.

establishment great administration attention and through it they exercised immense judicial authority by imposing controls over administration and finance life.

Nearly all the Abbassid caliphs directly used to consider the matters presented to such courts. The caliph Al-Mahdi used to consider such cases in the presence of judges. Whenever he sat to consider the "applications" he would say, "Go into the judges and if my reply to the injustices is not a revival to life from them, then that suffices". (115) He considered a petition in which the applicant complained of Al-Mahdi's agent who had usurped his farm. He referred the suit to the judges and refused to consider the matter by himself.

The institution of the "courts of injustices" (116) with all of its powers spent little time in considering suits. In fact, the time so consumed was much less than what the ordinary courts spent. This led people to resort to it to decide many of their suits against the employees of the state.

It appears that the Abbassid caliphs recognized this pressing and influential need of the commoners and were active in responding to it by themselves. That is why when Al-Mahdi left the injustices for three days one of the senior officials came to him and said, "Emir of the Faithful! The commoners are not led by the way you chose. Therefore, why haven't you consider the injustices for three days". (117) When Al-Mahdi sat to consider the injustices a great mass of people appeared before him. "The people pressed upon him and he sat there considering the injustices until night time". (118)

Imam Abi Yousef denounced Al-Rasheed's refusal to consider injustices. He said to him, "Emir of the Faithful! Either you should come nearer to Allah by sitting to consider the injustices of your subjects once during the month at least. You should listen to the one who has been wronged and deter the one who has wronged". (119)

Sources are plenty regarding Al-Ma'moon's concern for this institution to hear its suits twice a week – on Friday and Sunday. (120)

115 Al-Tabari, vol. 10, p. 527.

116 Dr. Qadoori, Origin and Development of Islamic Law, (Washington), vol. 5, p. 263.

117 Al-Arbali, p. 104, Al-Tabari, vol. 10, p. 582.

118 Ibid, p. 104, Al-Tabari, vol. 10, p. 582.

119 Abu Yousef, Land Tax Book, p. 111, Al-Fahabi, Measurement of Moderation, vol. 1, p. 216.

120 Ibn Taifoor, History of Baghdad, vol. 6, p. 57, Sultan's Orders, p. 84.

He also appointed an official to collect and organize the petitions of those who had been wronged for his consideration because the "people's patience has been strained by waiting. (121) The injustices filed by the members of the ruling family, senior officials of the state and employees were called "injustices of the privileged" as against "injustices of the commoners".

When the caliphs stopped considering the injustices the minister took over the administration of this court. The ministers used to sit and hear the people. Most of these had come to Baghdad from countries to complain their governors or the governors of the land tax or the judges and the police. (123)

The minister of Al-Muqtadir is the son of the Euphrates and he was considered to be the most active in considering the injustices of the people. This complains the emir and that the governor and another the judge. (124) He even considered a suit against the mother of the caliph Al-Muqtadir who had usurped the land of some farmers. (125)

The important question that comes to mind here is what role did this institution play in Arab administration? Undoubtedly, it was a dangerous and decisive one. It confronted dangerous matters that faced the administration machine. Because of the influential power and the authority it possessed it was able to face and speedily remedy all matters that related to financial issues (taxes upon the population). It also tackled what injustice and usurpation of peoples' property came from the emirs and the governors of provinces. In such cases, the head of the state did not have to call in the governor of the province. Instead, he could send one of his "eyes" to verify the misadministration of the governor as happened with the emir of Egypt. One of the eyes was sent there. "I went out of Baghdad in a disguise. I entered the house of the emirate, the diwan of the country, the house of finance. I asked and discussed the news, sat with the complainants and others. Altogether I stayed there three days". (126) What Al-Rasheed did with his governor in Egypt Al-Mutawwakel did with his governor in Al-Ahwaz. (127)

121 Ibid, vol. 6, p. 21.

123 Al-Sabbani, The Ministers, p. 27.

124 Al-Tanoofi, The minutes, vol. 5, p. 57, Ibn Fallakan, vol. 3, p. 99.

125 Ibid, vol. 2, p. 15.

126 Al-Jahshiari, Ministers and Scribes, p. 172.

127 The Minutes, p. 182,

2.5 *Abbassid administration and local governments*

Ibn Al-Taqaqa records the condition of the Abbassid State in its last days. He says, "Know that the Abbassid State was one of deception, fraud, cunning and perfidy. Deception and fraud had the greater share of power and sternness, especially during latter period. During this time they set aside the power of sternness and aid and resorted to deception and fraud. Even so, it was a state of many virtues until the end when matters could no longer be controlled". (128)

Why did the situation go out of control at the end of the Abbassid age? This late disturbance was the natural outcome of the disturbance that occurred in the early Abbassid age. How?

For the success of their revolution the Abbassids enlisted the help of the Persians and made Khurasan the base of their state and the center of the revolution. When they succeeded in setting up their state they relied upon the Persians. The Abbassid ministries were 95% Persian. This situation revived the hopes of the Persians, strengthened their morale and made them aspire to power to a degree that arouse the fears of the Abbassid caliphs themselves. They had to be removed. Aba Salma Al-Khalal was removed from the ministry and murdered. After him they also removed Aba Muslim Al-Khurasani and murdered him. The Barmakis and the Aal Sahl continued this course.

A balance between the Abbassids and Persians became impossible. This matter drove the caliph Al-Mua'tasim to rely upon the Turks. This was akin to fleeing from the stern enemy to the sterner one.

The first secessionist movement appeared in Andalusia (Spain). Abdulrahman Al-Dakhl since the middle of the second century AH was able to establish the new entity of the Omayyads in Andalusia. The only means left to the Abbassids in the end to oppose this hostile secession was to form the province of Africa (encompassing Tunisia and the eastern part of present Algeria) and that in favor of the Aghalibs under the leadership of Ibrahim ibn Al-Aghlab. If the Aghlab family represented the point of cohesion in the Moroccan territories and gave its theoretical allegiance to the Abbassid caliphate, yet it remained an independent family. Thus, the whole of the Morocco territories was politically liberated from Baghdad since the first Abbassid age.

128 Al-Fakhri, p. 151.

We do not have precise information on the history of the emirates of the khawarej, which had a great status locally in trade and the spread of Islam beyond the Great Saharan desert towards the Sudan. The emirate of Heerat was the most famous of its provinces and was established by Ibn Rustum.

In the furthestmost part of Morocco the Idris the Second founded the Idrisi emirate. After him, Abu Abdulla Al-Shi'ie founded the Fatimid state in Africa and middle Morocco with Al-Mahdiya as its capital. Then, the Fatimids moved on to Egypt and established Cairo and declared their caliphate there. They were charged with having placed the Bedouin tribes to terrorize North Africa. These tribes used to trouble them on the peripheries and the desert. In a few years Banu Hilal were destroying everything in sight.

This was in northern Africa. However, in the eastern part there appeared the Tahirid State in Khurasan and covered the southern part of Heerat province on the Iranian plateau and to the west the southeastern part of the coasts of Caucasian Sea and included the cities of Balakh, Samarkand and Bukhara.

In Sajastan, near Iran, (and it is the lower part of present Afghanistan) there appeared the Safariyya state, which captured Khurasan from the Tahirids. The Safaris did not last long in front of the new power that appeared in the country beyond the river. This power was the "power" of the Samanians.

The important thing is that there was no sudden cutting off of relations between these states and the period of direct rule that had been practiced by the caliphate in them. The best bounty received by these new rulers was their local autonomy. This was not because they were the nationals of a country but because they gave their utmost attention to these parts. They expended funds even though the taxes remained strongly burdensome to the local residents. The name of the caliph was still inscribed on the circulated currency and his name continued to be mentioned on Friday as proof that the higher Abbassid sovereignty was still there.

In these states the ruler was content with the title of "emir", as was the wont of their counterparts in northern Africa. However, they wished to make it clear to the caliph that they were fully independent. So they appointed "ministers". Perhaps, the Samanians at least were

the ones who appointed ministers. Even though their legitimacy was derived from Islam and it was the caliph who was supposed to appoint them. And he no longer could refuse them such an appointment.

Their administration organs were no different from what they were under the Abbassids. However, they created a new hierarchy for the employees. Their personages were called "deans". As for the administration of the provinces they undertook their affairs directly at times or assigned them to the military at other times. Administration in the remaining provinces remained in the hands of local rulers (as happened since the outset of the Islamic conquests) and was a succession.

The important question is: what was the nature of these governments, whether in North Africa like the Aghalibs or in the east like the Samanians? What was the nature of the administration link between the center (the caliphate) and the peripheries (the emirs)? Were these local governments? Were these federal states or a confederation? Let us consider these governments first to ascertain the nature of the relationship that linked these statelets to the Abbassid State.

Even if we fail to find the legal context of such local governments, we will find the theologians as usual placing such administration cases within the following context. These governors imposed their domination over the state's provinces by force. Yet they continued to receive official and legal recognition of their rule from the Abbassid caliph himself who continued to retain his religious status and prestige among the feelings of people. He exploited this prestige to impose upon these "rulers" some type of respect and loyalty that made them recognize the caliph even nominally as the caliph of the Muslims. Coinage was struck in his name; there were prayers for him from the pulpits during Friday prayers. Thus, preservation of that thread was a necessary matter in the custom of such theologians. As for the emirs it was a matter of taking over an emirate with the approval of the caliph, even though this had been imposed. The recognition of the caliph was some sort of recognition of a *de facto* act. He accepted this emirate with some official fear because they had usurped the affairs of their province.

The emirate of usurpation is different from the emirate of assignment, which the caliph assigns personally by selecting the one who

is to administer such an emirate. Theologians call the two matters: "emirate of usurpation" and "emirate of assignment". The general notion had been that the emirate of assignment was that the caliph mandates his powers to the emir and grants him an authorization to exercise military, administration and finance functions. The general emirate was distinct from the private one in which the emir exercised only limited powers. (129)

2.6 Abbassid Devolution (municipal administration of the Islamic city) :

Some historians have tried to categorize cities into two – the newly established cities and the old ones. The Arabs established new cities to meet their military, residential and building needs such as Basra in Iraq, Fustat in Egypt and Qairawan in Tunisia. As for the old cities these were found before Islam such as Damascus and Beirut. To both categories people came to reside and as such their functions multiplied, as did the patterns of life in them. This required an administration organization to preserve stability in them.

It appears that the city in Arab life during early Islam was a continuation of the old city with the passage of time and it was this peaceful nature of the city that most impressed Arab conquests.

The student should not doubt that the Arabs found in the old cities "municipal institutions". The Greek and Roman cities were no longer new cities owing to their chaotic planning, especially in the great metropolis to which were added zones that did not have a precise engineering system.

The Arab administration found itself facing the problem of building affairs as the matter required respect for the old organization, while recognizing the need for a new organization in Baghdad, Damascus, Cairo and Sana'a.

What was the nature of the problem? The central government during the late Roman Empire as well as in Byzantine had, during the first days of the Arab conquest, governors instead of municipalities, merged the cities into the provincial institutions and deprived the old

129 See the details in Al-Mawardi, Sultanic Orders, p. 30, Ibn Khaldun, The Introduction, p. 280, Al-Kazrooni, Fundamentals of the Abbassid State, p. 30.

capitals of their status. This was the characteristic that used to distinguish it, The rural areas continued to be linked to the city from an administrative aspect, but was not subject to its rule. Thus, the Arabs did not find independent old cities. They found extensive central states that could not tolerate any local autonomy.

In the big cities, their topographic and demographic organizations were preserved as well as some of old municipal institutions. The state was concerned with the great public streets and what had been established on its sides of shops, real estate and warehouses. The state cared for occupations and crafts inside the markets, as well as drinking water (and all that relate to it of channels, springs and water distributors) for individuals and baths. It also cared for opening the roads and keeping them clean at times.

The Arab City in Islamic life was subject to a comptroller's supervision and control. This official was first mentioned in the city of Baghdad, (130) when Al-Mansoor constructed his capital. After that reports of comptrollers continued to come in from each of the Islamic cities. He was the supervisor of the markets and the transactions therein. He also oversaw the roads, hospitals, building of rest houses and the exchange market. Indeed, he was given the right to supervise over doctors' treatment of patients and how the teachers treated the children. Local administration in the Islamic city was under his total control and his greatest responsibility. (131) In addition, he had under him the security forces represented by the police official, his assistant, the officers and the soldiers as well as the official responsible for guarding the bridge. All of these. All of these constituted the city's administration and its local authority. The cities grew rapidly and there was building prosperity in the service of civil purposes such as "schools, shops, hotels, hospitals, rest places all along the commercial roads, baths, water springs in the streets and even warehouses for the great goods offered by agencies". (132)

It is important that an important administration institution be mentioned here. It played a great role in development, education and

130 History of Al-Khateeb Al-Baghdadi, vol. 1, p. 120.

131 Al-Mawardi is considered to be the best writer on the comptroller and his powers, aids and employees of his department, See Sultan's Orders, p. 180 and Ibn Khaldun in his Introduction.

132 See the writings on the Islamic Arab city by Oleg Grabar in chapter six "Art and Architecture" in his book, The Heritage of Islam, vol.1, p. 350. It has extensive information about the city, its architecture and administration.

livelihood of people. This was the department of "endowments affairs" and this is a subject that requires extensive and profound study, which we hope to take up in the future.

This is a recently studied subject in the history of public administration. The study has produced fruit shown by the following results: -

- (1) The public administration establishments in the age of the Holy Prophet and the orthodox caliphs are the foundation and base of public administration in the Ommayyad and Abbassid ages.
- (2) Despite the expansion of the scope of public administration services during these ages the administration machine succeeded in containing the needs of people and the requirements and organizations of the government equally in Damascus and Baghdad.
- (3) The development that appeared in administration institutions was a natural result of the development of Arab life in this age. It was distant from the copying of foreign systems even though it is noted that the Arabs had no sensitivity to or fear from foreign influences if these were in the public interest and the might of the administrative machine of the state.

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- Bachelor's degree from the Faculty of Commerce, Aden University in 1981.
- Master's degree from Democratic Germany in 1988.
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- Obtained professorship at Aden University by a resolution of the University Council in 2001.
- Obtained the honorary fellowship of the European Promotion and Marketing Association.

Academic and career professional experience:

- Held the post of Head of the Business Section at the Faculty of Economics and Administration during the period 1993 – 1994.
- Held the post of Vice Rector of Aden University for administration and financial affairs from 1994 – 1995.
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- Chairman, Scientific Certificates Equivalence Committee in the Republic of Yemen.
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- Member, Permanent Committee of the General Peoples Congress from 1995 till now.
- Honorary President, Popular Committee for the Protection of Antiquities in Shabwa governorate.
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3. Fundamentals and Principles of Public Administration, International Scientific House, Amman, Jordan, 2000.
4. Comparative Public Administration for Higher Education Students, Culture Publishing and Distribution House, Jordan, 2000.
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1. Aden as a Free Zone and its Impact on Yemen's Economy.
2. Objective Need for Administration Reform and Development and its Social and Economic Impact on the Republic of Yemen, in collaboration with Prof. Dr. Ahmad Saleh Munassar, Dean,

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4. The State and Administration in the Yemen (1839 – 1990).
5. Investment in the Yemen between the Advantages of the Law and the Difficulties of Reality.
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